

0:0:0.0 --> 0:0:1.310

Emily Harris (Guest)

I'm here Todd here.

0:0:2.410 --> 0:0:8.200

Emily Harris (Guest)

Uh, then I'm OK is here representing representative powers power?

0:0:8.400 --> 0:0:9.550

Daniel Moltke (Rep Power)

Yes, exactly.

0:0:9.960 --> 0:0:13.510

Emily Harris (Guest)

OK, great. Thank you for joining us marks here.

0:0:14.210 --> 0:0:19.310

Emily Harris (Guest)

Scott, Steve and Tyler. OK. Great. Umm, I, Emily.

0:0:20.470 --> 0:0:24.850

Emily Harris (Guest)

Provided uh, some new language to consider, so I assume she is going to be.

0:0:25.590 --> 0:0:26.150

Emily Harris (Guest)

Umm.

0:0:27.630 --> 0:0:31.320

Emily Harris (Guest)

Be coming as well, but I think Michael Kohn couldn't come today.

0:0:32.990 --> 0:0:33.810

Emily Harris (Guest)

So. Umm.

0:0:35.450 --> 0:0:38.50

Emily Harris (Guest)

Did you get any indication for Emily? She was not gonna be able to come.

0:0:40.0 --> 0:0:43.130

ALBERT Todd * PRA

No, I don't think so. I'll check again quickly, but I don't, I don't think so.

0:0:43.470 --> 0:0:44.500

Emily Harris (Guest)

OK. OK, great.

0:0:45.60 --> 0:0:45.780

Emily Harris (Guest)

Umm.

0:0:46.850 --> 0:0:52.20

Emily Harris (Guest)

So did everybody have a chance to?

0:0:52.140 --> 0:1:0.560

Emily Harris (Guest)

Umm, look at the document of sort of the primary points that we wanted to go through today.

0:1:1.400 --> 0:1:8.480

Emily Harris (Guest)

Great. Thank you. Did everybody get a chance to look at the language that Emily sent and was posted, I think yesterday?

0:1:9.710 --> 0:1:14.260

Emily Harris (Guest)

OK. So we'll take a look at some of that during today's meeting. I do want to, I really appreciated.

0:1:14.340 --> 0:1:22.850

Emily Harris (Guest)

Umm, the, you know, sensibility that people wanna like, take some action that became apparent the end of last meeting and obviously we know we have deadlines. So I do want to try to.

0:1:24.300 --> 0:1:29.170

Emily Harris (Guest)

Limit some discussion today and to get to some votes if we need to do that so.

0:1:30.370 --> 0:1:33.930

Emily Harris (Guest)

What I'd like to start with today is.

0:1:36.200 --> 0:1:44.830

Emily Harris (Guest)

When the meeting I wasn't here the I think it was October 15th. It was my understanding that there was a considerable.

0:1:44.910 --> 0:1:47.940

Emily Harris (Guest)

Uh, agreement around the concept of.

0:1:48.20 --> 0:1:52.330

Emily Harris (Guest)

And on public interested if something is in the public interest then.

0:1:53.560 --> 0:2:11.190

Emily Harris (Guest)

Than fees shall be waived with the opportunity to explain why a few shouldn't be waived or there was in the because of impact on other government services or because of not being in the public interest.

0:2:14.510 --> 0:2:20.690

Emily Harris (Guest)

Is is that true that that that we there was a largely circling around agreement of that concept?

0:2:22.470 --> 0:2:26.130

Emily Harris (Guest)

OK. Is is that a concept we need to take a vote on or people are?

0:2:26.920 --> 0:2:43.40

Emily Harris (Guest)

That concept is what we're working with here today. If something's in the public interest, the fee shall be waived with the opportunity for the public body to explain. Can't waive it because it's as too severe of an impact on services or it's explained it's not in the public interest.

0:2:44.790 --> 0:2:45.360

Emily Harris (Guest)

Tyler.

0:2:46.170 --> 0:2:51.280

Tyler Janzen, AOC

Just one point of clarification. I think we had agreement on wave or reduce.

0:2:52.990 --> 0:2:54.470

Emily Harris (Guest)

Shall waive or reduce, OK?

0:2:55.580 --> 0:3:1.790

Mark Landauer

And and that was my recollection as well. That's why I had raised my hand. So thank you, Tyler.

0:3:5.350 --> 0:3:5.740

Emily Harris (Guest)

OK.

0:3:7.390 --> 0:3:7.680

Emily Harris (Guest)

Just.

0:3:7.370 --> 0:3:14.160

Mark Landauer

So that would if, if I understand stood, Madam Chair, if I may go to page 2 of the document.

0:3:15.760 --> 0:3:17.270

Mark Landauer

Under 5 sub A.

0:3:17.350 --> 0:3:21.610

Mark Landauer

We are the subway line three, it says shell furnish.

0:3:21.700 --> 0:3:33.260

Mark Landauer

A copies to the requester without charge. My notes that I've written to myself say shall waive or reduce the charge.

0:3:36.760 --> 0:3:37.170

Suo, Steve

And.

0:3:39.610 --> 0:3:41.560

Suo, Steve

That I'm I'm.

0:3:43.160 --> 0:3:44.410

Suo, Steve

Sorry, let me raise my hand.

0:3:44.570 --> 0:3:45.350

Emily Harris (Guest)

Now go ahead, go ahead.

0:3:47.650 --> 0:3:49.990

Suo, Steve

So we, we should discuss that further I I.

0:3:50.880 --> 0:3:59.780

Suo, Steve

I don't. That was not my recollection was that there was. I thought we had hashed this through and that the various seeking all valves involved.

0:4:0.710 --> 0:4:11.220

Suo, Steve

Would give an opportunity for a reduction as opposed to a full waiver. So it would depend on demonstrating a severe impact on public services.

0:4:12.420 --> 0:4:16.950

Suo, Steve

And under that circumstance, you could either reduce or eliminate the way or you know.

0:4:18.370 --> 0:4:20.160

Suo, Steve

You could do a partial waiver or no waiver.

0:4:21.820 --> 0:4:25.970

Emily Harris (Guest)

Uh, that's in the in the next line of 5A.

0:4:32.510 --> 0:4:32.720

Suo, Steve

Yeah.

0:4:27.530 --> 0:4:33.580

Emily Harris (Guest)

The custodian of a public record may limit the portion of the fees waived if the custodian demonstrates.

0:4:34.490 --> 0:4:34.940

Suo, Steve

Yeah.

0:4:37.610 --> 0:4:39.840

Emily Harris (Guest)

Marks your hands still up? Or is that a new hand?

0:4:42.510 --> 0:4:45.60

Mark Landauer

That was legacy, I apologize.

0:4:44.720 --> 0:4:45.500

Emily Harris (Guest)

Legacy hand.

0:4:45.220 --> 0:4:46.650

Mark Landauer

Uh, yeah.

0:4:46.850 --> 0:4:50.0

Emily Harris (Guest)

But does that does that second that next line?

0:4:52.50 --> 0:4:54.0

Emily Harris (Guest)

Serve the purpose that you're you're recalling.

0:4:56.690 --> 0:5:1.600

Mark Landauer

Let me lower my hand first so I don't make the mistake again twice.

0:5:1.700 --> 0:5:24.150

Mark Landauer

I'm man chair. I I do recall that we did agree to that second portion. I I don't think though we necessarily got so deep into the weeds as to whether or not it should be summarily waived. And I think that that's where my concern.

0:5:25.430 --> 0:5:26.850

Mark Landauer

Is is raised.

0:5:27.910 --> 0:5:45.930

Mark Landauer

Because as I point out in that in that first sentence in sub a, it shall furnish the copies to the requester without charge. Now I I may be mistaken and if I am, I do apologize to the group but I don't know if we had fully.

0:5:47.830 --> 0:6:0.20

Mark Landauer

Debated, discussed or come to a resolution as to what the benefit should be to the requester when the request is deemed to be in the public interest.

0:6:1.760 --> 0:6:7.590

Emily Harris (Guest)

I'm just gonna share my screen so because I think every probably has a language in front of him, but just so it's it's it's.

0:6:9.220 --> 0:6:9.900

Emily Harris (Guest)

Available.

0:6:11.370 --> 0:6:11.860

Emily Harris (Guest)

Right one.

0:6:12.680 --> 0:6:12.900

Emily Harris (Guest)

Yeah.

0:6:17.140 --> 0:6:29.930

Emily Harris (Guest)

OK, OK. Can everyone see that document on the screen? Yeah. OK. So we're talking about right here. So it sounds, I mean, I didn't have the understanding that there was actually a vote taken on it, just there was large consensus on this idea, but.

0:6:30.770 --> 0:6:36.140

Emily Harris (Guest)

It would one way to address or make more clear mark that.

0:6:36.920 --> 0:7:4.550

Emily Harris (Guest)

Uh, it's not an automatic without charge because there is the ability to limit the portion of fees fees would would it would it would it, would it help make that clear if these sentences were joined somehow, like the general public custody, and shall furnish copies the requests without charge, like

something like, except in the situation when the custodian of a public record, you know, can demonstrate? Or would it make would that would that connect those two?

0:7:6.690 --> 0:7:8.790

Emily Harris (Guest)

In a way that matches.

0:7:10.160 --> 0:7:11.540

Emily Harris (Guest)

The discussion more accurately.

0:7:20.650 --> 0:7:39.760

Mark Landauer

I don't know if combining the sentences necessarily resolves the general policy question that that I may mistakenly be raising, and I apologize again, I was in a bit of a COVID fog our previous meeting, so forgive me but.

0:7:40.320 --> 0:7:46.860

Mark Landauer

Umm, shall furnish copies to a requester without charge? Is a flat out?

0:7:47.30 --> 0:7:49.420

Emily Gothard - She/Her

Out, out and I mean.

0:7:48.10 --> 0:7:50.750

Mark Landauer

In elimination of any ability.

0:7:51.590 --> 0:7:53.90

Mark Landauer

Sorry, I'm getting feedback.

0:7:55.500 --> 0:8:0.50

Mark Landauer

It is an outright elimination of the possibility of of doing any fees.

0:8:1.370 --> 0:8:7.80

Mark Landauer

You know, I I I'm I I'm of the belief that that we want to extend some.

0:8:9.510 --> 0:8:13.760

Mark Landauer

Flexibility to government to be able to still.

0:8:14.100 --> 0:8:32.90

Mark Landauer

Uh recoup some cost even if there is a public interest involved. That's just my opinion and I may get outweighed on that. It's just my opinion if the if the group decides that if a any public.

0:8:33.450 --> 0:8:43.300

Mark Landauer

Entry or request that has a pop-up interest that the immediate default is that the the fees shall be waived. That's one question.

0:8:44.520 --> 0:9:6.500

Mark Landauer

And and I may get out voted on that, but I think it's a question that this this subcommittee needs to address, whether it should be outright wave or there should be some flexibility built into the statute that a government can request a fee that is reduced from what a normal charge might be if it were not in the public interest.

0:9:6.940 --> 0:9:14.250

Emily Harris (Guest)

Right. OK. I think that language might might actually be in here in the next sentence, Steve. Or would you have your hand next or did you Tyler?

0:9:16.890 --> 0:9:17.280

Suo, Steve

Umm.

0:9:17.450 --> 0:9:17.670

Emily Harris (Guest)

And.

0:9:17.600 --> 0:9:18.390

Tyler Janzen, AOC

See what's next.

0:9:20.360 --> 0:9:21.180

Suo, Steve

You know I.

0:9:22.870 --> 0:9:50.780

Suo, Steve

I think we've set a pretty high bar for public interest. I think that's how we address like we don't envision this routinely happening. So in that way hopefully that and and what we are saying is that as a matter of policy, we or the legislature believes that in that rare circumstance where our request is in the public interest, we do think there should be an elimination of fees unless.

0:9:51.640 --> 0:10:5.670

Suo, Steve

There is a a a significant impact on public services which which the next sentence addresses. I think that's we we are making a statement about about of preference but really in a very limited circumstance.

0:10:5.860 --> 0:10:7.710

Emily Harris (Guest)

So it's an if shall unless.

0:10:9.400 --> 0:10:9.770

Suo, Steve

Yeah.

0:10:10.40 --> 0:10:10.810

Emily Harris (Guest)

OK, Tyler.

0:10:11.610 --> 0:10:23.580

Tyler Janzen, AOC

Just wanted to quickly say that, yeah, I think I've caused some confusion here by bringing up the OR reduce, I think the second sentence does essentially distilled down to and or reduce so.

0:10:24.750 --> 0:10:33.150

Tyler Janzen, AOC

Comfortable with this, I thought you were asking about sort of the 10,000 foot level of agreement here. So I think I think we've hit the nail on the head with a.

0:10:34.680 --> 0:10:43.680

Emily Harris (Guest)

OK, so I'd like to. I'd like to. I'd like to take a vote on this, this concept that's reflected in the proposed.

0:10:44.640 --> 0:10:49.770

Emily Harris (Guest)

Amendments to 320, four 5A if shall.

0:10:51.800 --> 0:11:2.310

Emily Harris (Guest)

With option to reduce unless so can we? Does anybody have more comments? I guess I'm gonna need a motion to vote on this, but doesn't have more comments about this before we take a vote on this.

0:11:3.280 --> 0:11:4.30

Emily Harris (Guest)

Small section.

0:11:7.470 --> 0:11:8.120

Emily Harris (Guest)

I.

0:11:9.600 --> 0:11:10.70

Emily Harris (Guest)

Yeah.

0:11:8.700 --> 0:11:14.150

Scott Stauffer

Madam Chair, what I just pointed I did we approve the agenda for the meeting and do we need to do that?

0:11:13.570 --> 0:11:20.580

Emily Harris (Guest)

Oh my God, I'm so glad somebody else remembers this stuff. Thank you. You want you. Is that a motion to approve the agenda?

0:11:20.810 --> 0:11:23.530

Scott Stauffer

Motion to approve the agenda, unless there's further discussion, yeah.

0:11:22.780 --> 0:11:23.700

Mark Landauer

2nd.

0:11:23.990 --> 0:11:24.560

Emily Harris (Guest)

OK.

0:11:25.740 --> 0:11:30.700

Emily Harris (Guest)

All in favor of approving the agenda, or does anybody have anything but they they wanna modify to this agenda?

0:11:32.520 --> 0:11:36.300

Emily Harris (Guest)

OK, every in favor of approving the agenda, please say aye, aye.

0:11:36.30 --> 0:11:36.430

Suo, Steve

I.

0:11:36.60 --> 0:11:36.430

Tyler Janzen, AOC

I.

0:11:36.70 --> 0:11:37.140

Mark Landauer

Aye, OK.

0:11:37.170 --> 0:11:37.440

ALBERT Todd * PRA

I.

0:11:37.640 --> 0:11:37.970

Emily Gothard - She/Her

Hi.

0:11:38.500 --> 0:11:46.370

Emily Harris (Guest)

Great. That passes. Thanks. And let's see, Emily, I think your hand is up with that to the question that you want to talk about this before we take a vote on 5A.

0:11:46.910 --> 0:12:8.190

Emily Gothard - She/Her

Yes, and apologies. I was having some computer issues and logged on a little bit late. I had submitted a proposal which I see as posted on the website that relates to this language as well. Some of the concerns that I had around this language was one that.

0:12:9.170 --> 0:12:14.900

Emily Gothard - She/Her

Severe impact on public services and how would that be defined and also?

0:12:15.960 --> 0:12:31.990

Emily Gothard - She/Her

I that the custodian demonstrates that in the particular interest, the disclosure is partially or entirely outweighed by a severe impact, I don't know exactly what demonstrates would would mean, like what kind of like level of.

0:12:33.370 --> 0:13:3.780

Emily Gothard - She/Her

Proof or explanation is going to be required there, and the particular instance part is a little bit concerning to me too, because I disagree that that this would be limited. I think that you know some public bodies. It may be very limited, but others will probably be getting public interest requests all the time. And so I think that they're going to have to consider not just in the particular instance, but all of the requests that they're getting.

0:13:4.40 --> 0:13:19.410

Emily Gothard - She/Her

Because, you know, you might be able to say, you know, every single one individual request. Sure, we could afford to weigh that, but we can't afford to waive all of the requests that we're getting. And so I proposed alternative language to address those concerns.

0:13:20.210 --> 0:13:28.640

Emily Harris (Guest)

And that language, uh, is I'm not sure everyone has been able to read, but I have read your comments. I really appreciate your taking the time to put these in Emily.

0:13:28.980 --> 0:13:58.850

Emily Harris (Guest)

Umm, but there was on the page two of your of your suggestions. It's the. It's that it's the bolded underlined text. It's new that that you've submitted and also Emily did notice in note in her sharing these comments with me and Todd that she was working off of a draft that you know some some some stuff had been approved and some stuff had been rejected already in that. But I think it's on page 2 in 9192X.

0:13:58.960 --> 0:14:3.780

Emily Harris (Guest)

Event one and then kind of spread throughout the different.

0:14:4.760 --> 0:14:8.10

Emily Harris (Guest)

Sections there so people want to take a look at that. It is on the website.

0:14:9.210 --> 0:14:9.790

Emily Harris (Guest)

Steve.

0:14:10.950 --> 0:14:12.660

Emily Harris (Guest)

Or, sorry, we're mark. Did you have your hand up first?

0:14:15.800 --> 0:14:47.690

Mark Landauer

Yes, I did, Madam Chair. It it, it gives me great satisfaction in Emily's discussion because she's really gotten to the heart of the matter of the concern that I've raised it. But she's done so far more articulately and eloquently so. Some of these words do matter in my, in my opinion. And she's distilled sort of the concerns that I had with the language that I pointed out because of.

0:14:47.800 --> 0:15:18.40

Mark Landauer

Has she points out the severe impact on public service without taking into the whole of the other requests that may being considered. So, having said that, you know I I would like to examine Emilia's proposed language that that she's put up there, but I'm just getting to that right now. And so I I do apologize for being delayed on that. I had wasn't aware that Emily had suggested any language. Thank you.

0:15:19.580 --> 0:15:21.720

Emily Harris (Guest)

OK. Thanks. I'm sorry, Steve.

0:15:24.40 --> 0:15:26.40

Suo, Steve

Umm I I guess.

0:15:28.60 --> 0:15:34.300

Suo, Steve

Yeah, it's the Emily's question about or concerned that this will come up at in every single request.

0:15:35.70 --> 0:15:35.530

Suo, Steve

Umm.

0:15:36.730 --> 0:15:44.690

Suo, Steve

Really, it's it's only a circumstance where the public body decides that it's in the public interest and that is.

0:15:45.330 --> 0:15:54.60

Suo, Steve

Going to be a pretty rare circumstance and the public body can say it's not in the public interest. I mean, they're wide set of circumstances where it's not and.

0:15:55.450 --> 0:15:59.880

Suo, Steve

So I I just wanted to set that concern potentially aside.

0:16:1.830 --> 0:16:11.890

Suo, Steve

You know, in terms of severe impact, you know it's pretty plain language I, the courts ultimately or the AG will have to sort that out. That's the case with any legal change.

0:16:14.170 --> 0:16:14.590

Suo, Steve

You know.

0:16:15.360 --> 0:16:19.840

Suo, Steve

You could say substantial, you could say, but that doesn't, I don't think gets us anymore precise.

0:16:20.980 --> 0:16:40.930

Suo, Steve

I don't know that there is a way that you could define it, but the fact is we are saying like it's not simply that it costs you something you know you can't just say I'm not gonna wave it because it's gonna cost me something because that's our current system. It costs you something so you can charge for it regardless of whether it's in the public interest. We're trying to change that.

0:16:42.310 --> 0:16:46.720

Emily Harris (Guest)

One thing to see if one you mentioned that.

0:16:47.800 --> 0:16:49.650

Emily Harris (Guest)

It's up to the.

0:16:50.900 --> 0:16:52.910

Emily Harris (Guest)

The public body and the.

0:16:54.380 --> 0:17:4.650

Emily Harris (Guest)

The the They're the ones who decide if something's in the public interest in in this language that we are looking at on this proposal, the only presumptive.

0:17:6.850 --> 0:17:13.820

Emily Harris (Guest)

Assumed to be in the public interest is a news media representative with the with a long definition.

0:17:16.60 --> 0:17:30.530

Emily Harris (Guest)

Unless the particular request is not in the public interest, we've talked about like something that, you know, a reporter might ask for. It actually isn't in service of the public interest. One significant difference in the.

0:17:31.930 --> 0:18:2.80

Emily Harris (Guest)

Proposal that Emily put together is that there's a lot of different groups that are specifically named as presumed to be in the public interest. Some of this follows Foya a little bit. Some of it brings in Todd's indigent and individual stuff, which is individual crosses over into foya as well, and then brings in labor unions. So one of the things that we was also on the agenda to talk about today is whether what should be in the public interest.

0:18:2.220 --> 0:18:13.190

Emily Harris (Guest)

I think they the the concept of you know if something is is in the public interest then this is the fee response is a is a separate question. It's like that is.

0:18:13.850 --> 0:18:22.180

Emily Harris (Guest)

That's actually in the law, you know, now that that public interest can be argued in these different ways and then fees are affected so.

0:18:23.130 --> 0:18:24.400

Emily Harris (Guest)

That concept.

0:18:25.690 --> 0:18:29.610

Emily Harris (Guest)

That we're changing here in this concept of in a is that.

0:18:31.270 --> 0:18:39.950

Emily Harris (Guest)

That the if it's in the public interest, it's shall be waived unless something can be demonstrated. It's not in public interest or the impact is too large so.

0:18:41.170 --> 0:18:48.400

Emily Harris (Guest)

That question seems to be somewhat separate from OK then who's in the public interest? Which would be the next thing that we would get to?

0:18:53.540 --> 0:18:54.120

Emily Harris (Guest)

Umm.

0:18:56.450 --> 0:18:57.360

Emily Harris (Guest)

So.

0:18:58.150 --> 0:18:59.760

Emily Harris (Guest)

With that in mind.

0:19:2.290 --> 0:19:9.310

Emily Harris (Guest)

I still think a vote on this 5A is probably an order. Until we and then we can define who's in the public interest after that.

0:19:10.510 --> 0:19:14.880

Emily Harris (Guest)

Steve, is your hand still up or is it? Is it new or legacy?

0:19:18.670 --> 0:19:19.720

Emily Harris (Guest)

Oh, you're muted. I'm sorry.

0:19:21.720 --> 0:19:23.710

Suo, Steve

Sorry, I just wanted to clarify. I think what, Emily?

0:19:27.680 --> 0:19:27.950

Emily Harris (Guest)

And they.

0:19:24.850 --> 0:19:36.350

Suo, Steve

They have been saying that's what she said at an agency might have to look at every request. Maybe an agency does receive a whole lot of news media requests. So in that scenario.

0:19:37.750 --> 0:19:45.560

Suo, Steve

So this DQ has 100 requests in in the pipeline and.

0:19:47.310 --> 0:19:51.660

Suo, Steve

The Oregonian comes along with a request that's going to take 100 hours of Labor.

0:19:53.560 --> 0:20:21.890

Suo, Steve

I would presume that the agency could say, look, that's gonna be that's gonna disrupt our ability to

respond to any other public records request for the next two months. That's a severe disruption of public service. That is a public service that's being disrupted. If they're if you know it, they can show that they're they have to divert somebody from an inspection program to do this. That's a severe, severe impact on public surface. So hopefully there are.

0:20:22.460 --> 0:20:26.370

Suo, Steve

The safety valve makes it possible to address that circumstance as well.

0:20:30.180 --> 0:20:35.620

Emily Harris (Guest)

OK. Any other discussion before maybe I could entertain him. I would be happy to entertain a motion to vote on this.

0:20:37.90 --> 0:20:37.540

Emily Harris (Guest)

Tyler.

0:20:38.460 --> 0:20:44.770

Tyler Janzen, AOC

Huh. I just a quick question for Emily. Would would cutting out the the line in the particular interest crack that nut?

0:20:45.990 --> 0:20:46.990

Emily Harris (Guest)

In the particular instance.

0:20:47.420 --> 0:20:50.850

Tyler Janzen, AOC

Yes, in the in the particular instance, just cutting those words.

0:20:58.180 --> 0:21:9.230

Tyler Janzen, AOC

Because I think I just heard a agreement, Steve, what you've just mentioned was describing a situation where the request can be considered in aggregate and their impact on public services.

0:21:11.430 --> 0:21:42.730

Emily Gothard - She/Her

I agree that would help. I still don't think it totally addresses the points that I made around like what does it mean to demonstrate and what is severe. And I think that that will cause a lot of concerns for public bodies because, you know, they don't wanna go to court and litigate this. Like if they feel like they have to do things that they don't even have the capacity to do because they're trying to avoid litigation. I mean, we want to make this clear enough for public bodies that there's not doesn't have to be a lot of litigation.

0:21:42.830 --> 0:21:43.140

Emily Gothard - She/Her

About it.

0:21:44.720 --> 0:21:49.130

Emily Harris (Guest)

So would you suggest defining demonstrates or defining severe?

0:21:52.320 --> 0:21:52.660

Emily Harris (Guest)

Emily.

0:21:52.380 --> 0:22:9.350

Emily Gothard - She/Her

I mean the the the language that I proposed kind of went in a very different direction. I think it's if we if we keep language like this then I would think that yes, we we would want to provide more definition as to what those terms mean.

0:22:11.580 --> 0:22:11.980

Emily Harris (Guest)

Mark.

0:22:14.870 --> 0:22:25.100

Mark Landauer

Yeah, I I I you know, I think we're very close and I I do agree with Tyler that if we can strike the in the particular instance.

0:22:26.840 --> 0:22:27.480

Mark Landauer

And.

0:22:28.670 --> 0:22:52.480

Mark Landauer

Striking severe because Emily's absolutely correct, Steve, this is the concern that we as local government have is that we're gonna spend a King's ransom on litigation, right? So if we can avoid that, I think that that would be helpful. So outweighed by the impact on public services would be more acute demonstrating.

0:22:54.250 --> 0:23:5.10

Mark Landauer

Is there Emily? I just trying to get to a resolution here. The custodian of a public record may limit the portion of fees if the custodian.

0:23:7.470 --> 0:23:20.830

Mark Landauer

Describes that the public interest, you know describes rather than demonstrate, so that that can perhaps at least give an open.

0:23:21.750 --> 0:23:24.780

Mark Landauer

Wait for the local body to.

0:23:25.630 --> 0:23:42.260

Mark Landauer

Demonstrate it's it's sort of analogous, but it's less rigid if you would if I could say I I I would for one, be happy to vote for, for in support of a paragraph that's constructed in that manner.

0:23:43.750 --> 0:23:44.620

Emily Harris (Guest)

Thanks, mark. Todd.

0:23:44.460 --> 0:23:45.120

Mark Landauer

Thank you.

0:23:47.820 --> 0:23:59.210

ALBERT Todd * PRA

I think I can address all three concerns in this paragraph. If you read paragraph subsection a in conjunction with subsection D, The way a public body demonstrates this impact is in writing to the requester.

0:24:0.600 --> 0:24:15.670

ALBERT Todd * PRA

Without, without stating the standard that they have to live up to when they put that decision in writing. So I think we could eliminate demonstrates entirely from subsection a because it has to be read in conjunction with subsection D and it could be left to.

0:24:16.590 --> 0:24:22.730

ALBERT Todd * PRA

Whomever interprets this either when fulfilling public records requests or adjudicating appeals later. What?

0:24:22.850 --> 0:24:49.140

ALBERT Todd * PRA

Uh, how far they have to go in writing, cause it's probably gonna become a question anyway that the parameters need to be sussed out through subsequent discussion litigation, etcetera. So I think we could get rid of demonstrates entirely and not have to worry about it. I'm also I'd be fine with removing particular instance because the truth is right now the standard is that a public body has to or can only deny a fee waiver or reduction.

0:24:50.740 --> 0:25:20.710

ALBERT Todd * PRA

Based on reasonable decision why, which means it's a fact based specific determination for every public records request anyway, that allows them to take in the totality of the circumstances. So that really is a particular instance standard anyway, and that's not changing based on what we're writing here, so that the risk of confusion or concern over that language, I think we could take it out. Standard stays the same and we don't have to worry about anyone having issues with this language. And finally, there is one example currently in the public records law.

0:25:20.790 --> 0:25:46.830

ALBERT Todd * PRA

Might offer a substitute to the word severe. It's an exemption 192.355 subsection 5, and it's talking about information or records of the Department of Corrections, including the Board of Parole. To the extent that disclosure would interfere with the rehabilitation of a person in custody of the department or, and this is the language you might be able to use substantially prejudice or prevent the carrying out of the functions of the department.

0:25:47.880 --> 0:25:50.530

Emily Harris (Guest)

That's the language I think, Emily, you chose, right?

0:25:56.540 --> 0:26:7.850

Emily Gothard - She/Her

Not exactly, but it sounds good. One of the things that I had mentioned would be if it would require hiring additional staffing or assignment of overtime as reasons why it might be denied to.

0:26:9.650 --> 0:26:10.170

Emily Harris (Guest)

I'm.

0:26:9.330 --> 0:26:22.210

ALBERT Todd * PRA

Although I don't mean to jump in, but in defense of animals. Did say that OHSU was unreasonable in their fee estimate because they could have hired additional staff. So I don't think that's necessarily cut and dry issue that we may want to legislate here, but maybe we do.

0:26:23.460 --> 0:26:24.570

Emily Harris (Guest)

Do you think you, Todd?

0:26:27.360 --> 0:26:49.590

Suo, Steve

I think that sound like good solutions and I, you know, in light of if there is support for DI agree Todd that I think that takes care of what demonstrates means in which case we could say substitute the word determines for demonstrates I'd be fine with striking and the particular instance given what Todd just explained and.

0:26:50.620 --> 0:26:58.90

Suo, Steve

And also using the what is it substantially prejudices the carrying out? I mean that sounds.

0:26:58.920 --> 0:27:0.550

Suo, Steve

That's that's right. Sounds fine as well.

0:27:2.800 --> 0:27:3.10

Suo, Steve

Yeah.

0:26:58.940 --> 0:27:3.320

ALBERT Todd * PRA

For a substantially prejudices or prevents. So if we could lift that hole, if we wanted to.

0:27:4.120 --> 0:27:6.590

Suo, Steve

Yeah. Yeah. So I I'd support all those changes.

0:27:6.810 --> 0:27:12.860

Emily Harris (Guest)

So wouldn't would one solution be to can you see on the screen like cut this whole section and just say you know?

0:27:14.780 --> 0:27:15.90

Suo, Steve

No.

0:27:14.10 --> 0:27:18.980

Emily Harris (Guest)

Show first coffee surplus with charge subject to subsection D. No, you can't do that.

0:27:21.160 --> 0:27:22.880

Emily Harris (Guest)

Uh, you guys are shaking your head.

0:27:21.990 --> 0:27:23.220

Suo, Steve

I I just I mean.

0:27:26.570 --> 0:27:26.930

Emily Harris (Guest)

Sorry.

0:27:26.440 --> 0:27:27.500

Suo, Steve

Sorry I I just.

0:27:29.130 --> 0:27:30.630

Suo, Steve

Is it mark? Turn. I'll. I'll stop.

0:27:32.10 --> 0:27:34.40

Emily Harris (Guest)

Omar giving it up again, I'm sorry I didn't notice. Go ahead.

0:27:35.210 --> 0:27:51.380

Mark Landauer

Thank you. I just had a question for Todd, back to his, I I so appreciate that you're here, Todd, and that you know this stuff. So would you apply that same standard that you described from?

0:27:52.950 --> 0:27:58.870

Mark Landauer

Well, I I don't know what it was from, but there's another severe in paragraph D.

0:28:0.290 --> 0:28:8.70

Mark Landauer

Would you apply that as well there? I I I'm. I'm just looking for consistency. Or am I off base here?

0:28:8.520 --> 0:28:16.570

ALBERT Todd * PRA

No, Mark, you identified an issue because A&D are linked and they're restating the same standards. So we'd have to update the language indeed to match whatever we change A to.

0:28:17.180 --> 0:28:19.860

Mark Landauer

Thank you. Just wanna just wanna be clear. Thank you.

0:28:21.600 --> 0:28:22.790

Emily Harris (Guest)

As Steve giving him back up.

0:28:25.270 --> 0:28:37.0

Suo, Steve

Well, I just, I I'm sorry for interrupting earlier. I I just think we're close on the second sentence and it is essential. It's the, it's the the safety valve. It's it's the unless.

0:28:40.30 --> 0:28:40.720

Emily Harris (Guest)

2 great again.

0:28:37.680 --> 0:28:41.490

Suo, Steve

You know, it gives the public body it. It's what gives the public body discretion.

0:28:42.170 --> 0:28:47.620

Emily Harris (Guest)

OK. Well it I mean D does, but it's only if it's not in the public interest well.

0:28:50.0 --> 0:28:57.980

Emily Harris (Guest)

I think it just gives it to wave. OK, so then what we're talking about, if I'm understanding right, the custodian of a poker may limit the portion of the if the custodian.

0:28:58.920 --> 0:29:0.850

Emily Harris (Guest)

And I'm I'm taking language from D now.

0:29:1.960 --> 0:29:2.650

Emily Harris (Guest)

It should be.

0:29:4.260 --> 0:29:7.420

Emily Harris (Guest)

Determines instead of demonstrates. Is that correct?

0:29:8.460 --> 0:29:11.230

Emily Harris (Guest)

That and we would cross off the particular instance.

0:29:12.870 --> 0:29:14.660

Emily Harris (Guest)

The public interest in disclosure.

0:29:15.730 --> 0:29:18.320

Emily Harris (Guest)

And you would say here substantially prejudices.

0:29:24.900 --> 0:29:26.780

Suo, Steve

Can maybe, Todd.

0:29:29.770 --> 0:29:30.40

Emily Harris (Guest)

Yeah.

0:29:27.530 --> 0:29:30.460

Suo, Steve

Paste that language in the chat. So simple.

0:29:38.160 --> 0:29:40.470

Emily Harris (Guest)

And then it would essentially get rid of this.

0:29:44.340 --> 0:29:45.710

Emily Harris (Guest)

And does that.

0:29:46.700 --> 0:29:51.370

Emily Harris (Guest)

And then we that would be that would also be changed in in D to match.

0:29:52.560 --> 0:29:53.10

Emily Harris (Guest)

Tyler.

0:29:54.540 --> 0:30:8.900

Tyler Janzen, AOC

I think I'm ready to make a motion on this. It's the I just want to make sure we have all the final language in there substantially prejudices or prevents the carrying out of the functions of the public body. I you put the dot, dot, dot and etcetera in there.

0:30:10.0 --> 0:30:13.910

Emily Harris (Guest)

I mean, I can lift it if you tell me the the statute number or.

0:30:13.550 --> 0:30:14.680

Tyler Janzen, AOC

I'm I'm looking at.

0:30:14.210 --> 0:30:15.160

ALBERT Todd * PRA

It's in the chat.

0:30:15.520 --> 0:30:16.240

Emily Harris (Guest)

Ohh, I'm sorry.

0:30:15.380 --> 0:30:16.990

Tyler Janzen, AOC

Yeah, in the chat there.

0:30:16.890 --> 0:30:17.440

Emily Harris (Guest)

Chat.

0:30:22.0 --> 0:30:27.580

Emily Harris (Guest)

Seems that I. Let's see. Ohh I see. I see. OK in. OK, hang on.

0:30:31.410 --> 0:30:38.270

Emily Harris (Guest)

Substantially reduces or prevents the carrying out of the functions of the Department of the Agency, so it would be.

0:30:39.550 --> 0:30:40.860

Emily Harris (Guest)

Initially purchases.

0:30:46.400 --> 0:30:47.280

Emily Harris (Guest)

Or prevents.

0:30:47.920 --> 0:30:59.130

Emily Harris (Guest)

They carrying out so one problem I have with this is the one of the functions of any public body is to respond to public records requests and to release public records so.

0:31:5.900 --> 0:31:12.830

Emily Harris (Guest)

That's why the severe impact on public services language is more specific and helpful, I think.

0:31:16.470 --> 0:31:19.980

Emily Harris (Guest)

Mark, you have your hand up and Todd, you do too. I think maybe you took it down.

0:31:21.120 --> 0:31:21.730

Emily Harris (Guest)

Go ahead, mark.

0:31:23.290 --> 0:31:46.990

Mark Landauer

You know, again, I hope that that we can maintain the consistency here on that language. I think it's really important I realize that we all come from our own places, right. And as a member of the press, I certainly would believe that that's one of the primary functions of government, I would argue frankly, that a fire district's primary function is to put out fires.

0:31:48.130 --> 0:31:57.140

Mark Landauer

And and and so I that we all come from our own places, right. And I just wanna be clear that that's where I sort of.

0:31:57.880 --> 0:32:2.660

Mark Landauer

Wanna make sure that we all are trying to understand one another's perspectives? Thank you.

0:32:5.180 --> 0:32:6.620

Emily Harris (Guest)

Todd, thank you, Mark.

0:32:7.420 --> 0:32:38.920

ALBERT Todd * PRA

Ohh yeah, I'm gonna kind of echo part of what Mark said because I think there's two camps here. One is that fulfilling public records request when they're difficult affects the carrying out of the core or primary functions of a public body that we've certainly heard that repeatedly. On the other hand, I think we're trying to normalize the fact that providing public records is, you know, also a core function of all public

bodies. And then we want to say maybe carrying out the other functions of the department. So it's a question of sort of which philosophy of public records we want to endorse with this bill, I think.

0:32:39.90 --> 0:32:44.640

ALBERT Todd * PRA

I'm in favor of other functions, but I can understand why some would. Maybe would want to say core or primary functions.

0:32:49.20 --> 0:32:49.290

Emily Harris (Guest)

See.

0:32:51.420 --> 0:32:59.570

Suo, Steve

I'm I'm wondering Todd, whether you would just to make it scan grammatically with the sentence, whether you'd be OK with this rephrasing I just pasted in the chat.

0:33:14.710 --> 0:33:20.230

ALBERT Todd * PRA

Aren't we still in the same place, Steve, with that language, by not specifying its other functions or core or primary functions?

0:33:21.200 --> 0:33:24.550

Suo, Steve

Ohh yeah, I mean uh, it doesn't address that issue.

0:33:24.720 --> 0:33:28.640

Suo, Steve

And I on on other, I mean I'm kind of.

0:33:30.910 --> 0:33:32.640

Suo, Steve

Because you you were saying that?

0:33:33.990 --> 0:33:37.330

Suo, Steve

But responding to requests is a core function of government.

0:33:38.110 --> 0:33:41.410

Suo, Steve

Then by implication, if we say other than we're saying.

0:33:42.160 --> 0:33:44.990

Suo, Steve

Answering Records request is not as important as other things, so.

0:33:45.800 --> 0:33:47.960

Suo, Steve

I'm kind of ambivalent about that, but.

0:33:50.240 --> 0:33:52.670

Emily Harris (Guest)

So are you comfortable, Steve, with the language?

0:33:54.170 --> 0:33:58.240

Emily Harris (Guest)

Carrying out the functions without any kind of qualifier, core or other or.

0:34:0.20 --> 0:34:9.670

Suo, Steve

I'd be fine with other I I think it's just I I I I also sympathize with people who say, well, if it disrupts our ability to answer other records requests, that should be.

0:34:10.400 --> 0:34:11.190

Suo, Steve

A concern as well.

0:34:12.790 --> 0:34:13.240

Emily Harris (Guest)

Tyler.

0:34:14.150 --> 0:34:23.620

Tyler Janzen, AOC

Well, just a short reminder, I think for the for all of us, you know, we gotta remember that Rome wasn't built in the day. And I think the less we put.

0:34:24.980 --> 0:34:37.930

Tyler Janzen, AOC

I'm thinking of of the implications of putting language like primary or core in and they're just more subjective terms that that lie in the eye of the beholder that's going to lead to more litigation. Other is neutral as a.

0:34:38.600 --> 0:34:55.210

Tyler Janzen, AOC

Value statement and then we can take a look at what we've adopted if we get this thing passed and it becomes law and see if we still need to move it forward. If it accomplished the goal or not. So again, just advocating for that sort of incrementalism approach. The crack is not gonna go anywhere and we will get another shot at this.

0:34:56.800 --> 0:35:0.840

Emily Harris (Guest)

Well, I think if I thinks together to see, can you just clarify for me if you're?

0:35:1.980 --> 0:35:6.730

Emily Harris (Guest)

Is what you're saying that if you use the word other it suggests?

0:35:7.540 --> 0:35:13.330

Emily Harris (Guest)

Like differentiating between Gradation, potentially between fulfilling public records requests and other.

0:35:14.340 --> 0:35:14.570

Suo, Steve

I.

0:35:13.610 --> 0:35:19.460

Emily Harris (Guest)

Uh, missions, but if you leave the word out it it'll allows for example for.

0:35:20.200 --> 0:35:30.990

Emily Harris (Guest)

The interpretation of like we've got too many public records requests. This one is getting in the way of fulfilling that function. That responsibility of fulfilling public records requests. So leaving it unmodified leaves it actually more flexible.

0:35:31.710 --> 0:35:41.620

Suo, Steve

I'm I'm taking that back. I I other works for me. I mean it just it the way as written, it would just mean everything other than this particular records request.

0:35:42.740 --> 0:35:44.810

Emily Harris (Guest)

Then this particular records request.

0:35:45.310 --> 0:35:45.620

Suo, Steve

Yeah.

0:35:47.190 --> 0:35:50.920

Suo, Steve

So I'll I'll edit what I wrote.

0:35:57.390 --> 0:35:58.100

Emily Harris (Guest)

OK, let me.

0:36:0.810 --> 0:36:1.240

Suo, Steve

Are you?

0:36:0.180 --> 0:36:2.950

Emily Harris (Guest)

Sorry, I'm flipping back and forth in the chat here so.

0:36:7.860 --> 0:36:10.700

Suo, Steve

So that thing that I just pasted in the chat would go.

0:36:13.280 --> 0:36:15.310

Suo, Steve

Everything after that in the sentence.

0:36:16.190 --> 0:36:16.800

Suo, Steve

In sub a.

0:36:17.350 --> 0:36:17.830

Emily Harris (Guest)

Yeah.

0:36:23.460 --> 0:36:27.790

Emily Harris (Guest)

So you guys this copy pasting from the chat is a little bit slow. OK I think.

0:36:30.440 --> 0:36:31.120

Emily Harris (Guest)

Come on.

0:36:33.320 --> 0:36:33.850

Emily Harris (Guest)

There we go.

0:36:41.740 --> 0:36:42.50

Suo, Steve

Yeah.

0:36:39.380 --> 0:36:42.190

Emily Harris (Guest)

And this would all go after that right here.

0:36:57.270 --> 0:36:57.630

Emily Harris (Guest)

OK.

0:36:59.120 --> 0:37:16.570

Emily Harris (Guest)

It's the custodian of a public record determines that the disclosure is in the public interest, because making the record available primarily benefits the public record, it shall furnish the copies that without charge the custodian of a public record, may limit the portion of these waived if the concerning determines that the public interest in disclosure.

0:37:17.640 --> 0:37:23.580

Emily Harris (Guest)

Is outweighed by the substantial prejudice or prevention of the public body's ability to carry out the other functions of the public body.

0:37:25.460 --> 0:37:29.370

Emily Harris (Guest)

There any more suggested amendments to that language before we?

0:37:31.110 --> 0:37:33.500

Emily Harris (Guest)

We entertain a motion to vote on it.

0:37:37.510 --> 0:37:37.840

Emily Harris (Guest)

Mark.

0:37:39.940 --> 0:37:49.770

Mark Landauer

I'm sorry, Madam Chair. I Todd do we need to address the severe in a subsection D of this section.

0:37:51.740 --> 0:37:52.840

Emily Harris (Guest)

We will definitely meet you.

0:37:50.920 --> 0:37:56.120

ALBERT Todd * PRA

Yes, uh, I think Emily wants to vote on a, but then we would have to update D as well.

0:37:56.640 --> 0:37:58.200

Emily Harris (Guest)

We can totally come from them.

0:37:54.350 --> 0:38:9.210

Mark Landauer

Ohh, OK well, I forgive me. When when you said section I took the entire section rather than the sub section, so forgive me if it's if it's to vote on subsection a, I'm prepared to do so.

0:38:9.710 --> 0:38:12.0

Emily Harris (Guest)

Let's just fix it and the thing.

0:38:10.250 --> 0:38:14.720

Mark Landauer

With the with the with the understanding of course, that we're gonna fix D. Thank you.

0:38:15.130 --> 0:38:26.700

Emily Harris (Guest)

Yeah, let's just fix D and vote on all of five. OK, so that would be it for the custodian. Poker determines that request is not in the public interest. So instead of severe.

0:38:33.840 --> 0:38:34.780

Emily Harris (Guest)

It's actually just this.

0:38:35.740 --> 0:38:36.430

Emily Harris (Guest)

Determines.

0:38:38.420 --> 0:38:39.610

Emily Harris (Guest)

Interest or the?

0:38:42.280 --> 0:38:44.20

Emily Harris (Guest)

Trust is here we go.

0:38:46.360 --> 0:38:47.150

Emily Harris (Guest)

Umm.

0:38:50.390 --> 0:38:53.540

Emily Harris (Guest)

Disclosure is outweighed by the substantial.

0:38:57.410 --> 0:38:59.490

Suo, Steve

You've just lost the end of that sentence, though.

0:38:59.410 --> 0:39:0.330

Emily Harris (Guest)

And I just moved it down.

0:39:1.380 --> 0:39:2.370

Suo, Steve

Oh. Oh, I see. OK.

0:39:11.400 --> 0:39:12.940

Emily Harris (Guest)

Does that look right, D?

0:39:17.120 --> 0:39:17.410

Suo, Steve

Yes.

0:39:17.930 --> 0:39:47.710

Emily Harris (Guest)

OK, so as I actually look at this and you know we're going to vote on all of five, there is BEBC&E, there's also F and there's G, which gets at the the bigger points of what's presumed to be in the public interest.

So I think we should just vote on 5A and D right now, unless there's, I mean, the E&F. I'm sorry, the F&G about indigent and individual.

0:39:48.60 --> 0:39:55.870

Emily Harris (Guest)

I think there is. I have a sense that that needs to be discussed further and also it brings in some of the other suggestions that Emily had.

0:39:57.350 --> 0:40:8.180

Emily Harris (Guest)

There may be enough agreement on the representative, the news media as a as defined there as presumed to be in the public interest, that we can vote on a through E.

0:40:9.840 --> 0:40:12.530

Emily Harris (Guest)

Since we have a motion that they what they'd like to vote on right now.

0:40:14.800 --> 0:40:24.650

Mark Landauer

Madam Chair, I'd I'd like. Ohh. I'm sorry. There are a bunch of hands raised. So in the interest of doing that, I was prepared to make a motion, but their hands raised so I don't wanna interject.

0:40:24.950 --> 0:40:26.470

Emily Harris (Guest)

OK. I think Todd, you got your hand up first.

0:40:27.250 --> 0:40:30.360

ALBERT Todd * PRA

Yeah, I'm concerned about. I think it's C if you wouldn't mind going back up.

0:40:32.750 --> 0:40:53.660

ALBERT Todd * PRA

Because that's not exactly the concept that we've generally agreed to, because, like, isn't The Oregonian, a commercial entity. So it was more like if a member of the A person who fits the definition of a member of news media media but is pursuing a more individual interest, like writing a book, then that would be potentially denied as not in the public interest, but not just that they're doing it on behalf of a commercial entity.

0:40:54.140 --> 0:41:3.840

Emily Harris (Guest)

Ohh that's something I read this to mean that just because The Oregonian and any private and news media is of course a a commercial interest. It was I read that too just.

0:41:5.250 --> 0:41:11.360

Emily Harris (Guest)

You know, make it clear that in this instance, they're considered a news organization, not a commercial organization, but.

0:41:13.550 --> 0:41:14.10

Emily Harris (Guest)

Tyler.

0:41:13.750 --> 0:41:14.190

ALBERT Todd * PRA

Wait, but.

0:41:14.660 --> 0:41:15.240

Emily Harris (Guest)

Yeah. So.

0:41:14.910 --> 0:41:16.870

ALBERT Todd * PRA

But isn't. I'm sorry, isn't C saying?

0:41:24.400 --> 0:41:24.680

Emily Harris (Guest)

OK.

0:41:18.780 --> 0:41:26.90

ALBERT Todd * PRA

Oh wait, except for request. OK, you know what? Forget it. I'm sorry. I I was just misreading it on the fly. Alright. I withdraw my concern.

0:41:26.30 --> 0:41:27.780

Emily Harris (Guest)

OK. Thanks, Tyler. You had your hand up?

0:41:28.650 --> 0:41:58.600

Tyler Janzen, AOC

Yeah, I'll just say I'm prepared to vote on A&DI think, and I mentioned this at our last meeting as well. I still find it really awkward that we've coupled in under the Section 5 Indigency own records under a public interest test. I think we'd be better served if we wanna keep those. Let's pull them out to their own sections instead of putting them under gear because it muddies the water really quickly. If we're deciding that public interest is something that generally benefits the public.

0:42:8.70 --> 0:42:8.870

Emily Harris (Guest)

OK, see you.

0:41:58.740 --> 0:42:11.490

Tyler Janzen, AOC

But then under that test, we're including indigency and a requester's own records. I think those are at odds with each other, and they need to be pulled out as their own sections. So I I would prefer A&D if we're going to move forward with it.

0:42:10.340 --> 0:42:22.60

Emily Harris (Guest)

OK, well what I've heard you say is you don't wanna vote on Ian. Excuse me. F&GEB&C are talking about news media, not indigent and individual.

0:42:22.540 --> 0:42:34.930

Tyler Janzen, AOC

Yeah. And I'm OK with I I think that the news media has that safety valve provision in it where it still falls under public interest. But yeah, let's pull out indigency and own records would be my suggestion.

0:42:35.870 --> 0:42:37.200

Mark Landauer

Here here.

0:42:35.90 --> 0:42:39.150

Emily Harris (Guest)

OK. So you're prepared to 15-A through E.

0:42:40.530 --> 0:42:49.240

Mark Landauer

Emily, I I let me, let me pose a motion because I think we're gonna simplify this a lot by just the motion itself, OK.

0:42:50.720 --> 0:42:59.750

Mark Landauer

I wouldn't make a motion that the subcommittee adopt 5A through D.

0:43:2.350 --> 0:43:3.290

Mark Landauer

At this time.

0:43:5.240 --> 0:43:6.170

Suo, Steve

I'll second that motion.

0:43:8.170 --> 0:43:9.800

Emily Harris (Guest)

I I.

0:43:11.60 --> 0:43:15.600

Emily Harris (Guest)

I have a question about whether you expecting to define news Media representative.

0:43:17.220 --> 0:43:18.20

Emily Harris (Guest)

In this law.

0:43:19.610 --> 0:43:30.870

Mark Landauer

Madam Chair, in response to that, there is a bracket there that says as defined in paragraph E below, we can get to that later.

0:43:32.270 --> 0:43:37.120

Mark Landauer

So I believe that if we were to adopt this a through D.

0:43:37.940 --> 0:44:4.80

Mark Landauer

We would then be obliged to somehow define media. OK, I'm what I'm trying to do is dispense of this section so that we can get to Tyler's points about individuality and individuals and whether or not they are in the public interest. And I fully agree with his point in position on that. So I'm trying to just to dispense of this section at this point.

0:44:7.140 --> 0:44:7.570

Emily Harris (Guest)

Emily.

0:44:10.720 --> 0:44:20.120

Emily Gothard - She/Her

I'm ready to vote yes on A&D, but I feel like BNC should be part of the discussion with all of the other, you know, what is included in the public interest.

0:44:20.710 --> 0:44:26.640

Mark Landauer

Then I'll modify my motion to incorporate A&D only at this time.

0:44:28.260 --> 0:44:28.710

Emily Harris (Guest)

There's.

0:44:28.320 --> 0:44:29.90

Tyler Janzen, AOC

I'll second it.

0:44:29.910 --> 0:44:32.20

Emily Harris (Guest)

OK, so all in favor of adopting?

0:44:32.740 --> 0:44:36.70

Emily Harris (Guest)

This proposed language for 5A and D Please say aye.

0:44:36.730 --> 0:44:37.150

ALBERT Todd * PRA

Hi.

0:44:37.640 --> 0:44:37.850

Tyler Janzen, AOC

Right.

0:44:49.90 --> 0:44:51.200

Emily Harris (Guest)

I'm sorry we discussing, but go ahead.

0:44:36.720 --> 0:45:8.320

Mark Landauer

Madam Chair, before, before doing so, it it typically the the we would have a a quick discussion and I do wanna just have a quick comment before the vote. Sorry about this. My prep. My no no no. Before a vote. Just parliamentary procedure. Sorry. You do get a chance to make a discussion. My preference. I'm being an old codger here. I still would have liked to have waiver reduce in a but understanding that this is going forward.

0:45:8.410 --> 0:45:14.110

Mark Landauer

I'm prepared to vote I so we can have the vote. That's all the discussion I wanted. Thank you.

0:45:15.920 --> 0:45:18.400

Emily Harris (Guest)

Thank you, mark. Does anybody else have any discussion before the vote?

0:45:20.800 --> 0:45:29.840

Emily Harris (Guest)

OK. All in favor of adopting this proposed language for or assigned 1923245 A&D, please say aye.

0:45:30.680 --> 0:45:31.50

Tyler Janzen, AOC

I.

0:45:30.890 --> 0:45:31.220

ALBERT Todd * PRA

Aye.

0:45:30.840 --> 0:45:31.490

Suo, Steve

Aye, aye.

0:45:30.700 --> 0:45:32.160

Scott Stauffer

Hi. Hi.

0:45:32.560 --> 0:45:33.240

Emily Harris (Guest)

Any nice?

0:45:34.570 --> 0:45:41.60

Emily Harris (Guest)

Great. These past and then highlight them in yellow and I will cross this stuff out. OK, so.

0:45:42.550 --> 0:46:1.440

Emily Harris (Guest)

Let's move on to this question of who is in the, you know, presumed to be in the public interest. So we have a lot of proposals in here. One is the news media. One is people who are indigent at the time of the request and it's for specific purposes.

0:46:2.820 --> 0:46:17.450

Emily Harris (Guest)

We have a an. Excuse me? Indigent people who are losing their own records in specific instances, we have labor unions, we have in Emily's proposal and also a educational scientific.

0:46:18.780 --> 0:46:30.630

Emily Harris (Guest)

Groups all of those in Emily's proposal has specific definitions of like what the request has to do, so I suggest we start with the indigent and.

0:46:31.620 --> 0:46:40.60

Emily Harris (Guest)

And individual records. I've heard people say that they should not be in the public interest. Is there a general interest in including?

0:46:41.710 --> 0:46:48.560

Emily Harris (Guest)

Indigent and individual requesters as written. Let's start with in FNG in this Section 5.

0:46:49.260 --> 0:46:49.690

Emily Harris (Guest)

Emily.

0:46:53.640 --> 0:47:7.850

Emily Gothard - She/Her

So I'm sorry, could you scroll back up to paragraph 5 that you just highlighted? I was looking at A&D and I just realized that I had one issue that I addressed in paragraph 5 and my proposal as well and that was the words for any reason.

0:47:8.430 --> 0:47:17.60

Emily Gothard - She/Her

Umm I had concerns about fee waivers being granted for any reason without it being spelled out in a public policy.

0:47:21.570 --> 0:47:23.40

Emily Harris (Guest)

Well, this OK.

0:47:25.630 --> 0:47:32.600

Emily Harris (Guest)

OK Umm, this lets the custodian determine that reason I believe.

0:47:33.580 --> 0:47:34.70

Emily Harris (Guest)

Is that?

0:47:35.200 --> 0:47:35.750

Emily Harris (Guest)

Does that.

0:47:36.360 --> 0:47:37.410

Emily Harris (Guest)

Your understanding too.

0:47:39.840 --> 0:47:51.890

Emily Gothard - She/Her

Right. And so my proposal includes like that, you know, a public body shouldn't be discriminating among requesters as far as like when fee waivers are granted.

0:47:52.130 --> 0:48:9.780

Emily Gothard - She/Her

Umm, I like consistent policy should be applied to a public body. Could identify additional reasons why fee waivers would be granted that aren't spelled out into statute. But I don't think that it should just be for any reason when they don't have a public policy that they've adopted that that that would fall under.

0:48:11.530 --> 0:48:18.130

Emily Harris (Guest)

OK. And I guess technically we did not vote, actually, I'm realizing it shouldn't probably highlighted that, but I'm glad it got your attention to.

0:48:18.860 --> 0:48:20.70

Emily Harris (Guest)

Bring it up. Umm, Steve.

0:48:24.240 --> 0:48:48.170

Suo, Steve

Yeah, I I think the intent there was in the version of this that did not contain like the individual requester records. You know the intent was to say, you know, we're not simply talking about the public interest. You know, the public body has the latitude to weigh fees regardless and under any circumstance. And then the layout, some examples where they might want to think about it.

0:48:49.490 --> 0:49:3.420

Suo, Steve

It's not essential, it's it's simply a may. It gives the public body latitude to do something. I would be fine with with killing all that last part of the sentence if it's. If it's a concern. I I think some people.

0:49:4.40 --> 0:49:20.420

Suo, Steve

But I I I thought for people who are concerned about indigency and like if we don't adopt indigency, for

example, as a grounds for a fee waiver, then it would be helpful to point it out as a potential reason why a public body might wanna consider one.

0:49:22.130 --> 0:49:26.670

Emily Harris (Guest)

Just to be clear, what when you said you'd be fine striking out which parts of the sentence.

0:49:32.940 --> 0:49:33.260

Emily Harris (Guest)

Actually.

0:49:27.730 --> 0:49:33.640

Suo, Steve

Everything after the semi colon, the the cost of fee collection would exceed the.

0:49:33.920 --> 0:49:37.420

Emily Harris (Guest)

I think OK. And Emily, you're suggesting for any reason like?

0:49:37.280 --> 0:49:37.920

Suo, Steve

Or actually.

0:49:39.30 --> 0:49:39.660

Emily Harris (Guest)

Sorry, Steve.

0:49:39.830 --> 0:49:44.190

Suo, Steve

I I'm sorry. I I you could just end it at reduced fee period.

0:49:46.260 --> 0:49:57.290

Emily Harris (Guest)

I see. OK. So that's that's one possibility. And I was gonna see ask just suggest another option might be for any reason like for which they've established a policy for example.

0:49:57.830 --> 0:50:6.680

Emily Harris (Guest)

Umm to some food for thought as we continue to discuss. This is like feeding right into the indigent, you know, individual etcetera.

0:50:7.940 --> 0:50:8.900

Emily Harris (Guest)

Discussion, Tyler.

0:50:10.440 --> 0:50:32.10

Tyler Janzen, AOC

Yeah, I was. I was simply going to say I I like the idea and I think you can accomplish it, just as Steve just said, putting a period after fee. I actually like the idea of specifying that a public body may, whether we

say for any reason or that's implied. I actually think that that works to the benefit of requesters more often than not allowing that wide discretion.

0:50:33.130 --> 0:50:44.540

Tyler Janzen, AOC

And to the point of if we're pulling out indigency and own records, if we leave it as a may with considers with consideration to those, if that's called out may.

0:50:44.980 --> 0:51:10.140

Tyler Janzen, AOC

Umm, you know, furnish copies without charge or at a substantially reduced rate such as and then you specify indigency you specify it's a record pertaining to an individual's own legal right that that gives a clear call out for. Still puts discretion with the public body, but at least it's it's calling out some sort of common language for the requester in the body to to look at and negotiate together on.

0:51:12.140 --> 0:51:12.810

Emily Harris (Guest)

So.

0:51:12.540 --> 0:51:26.600

Tyler Janzen, AOC

No, I I think I would. I would actually push back against a standardized schedule of treating everybody in the interest of actually lowering fees for most requesters. I think the greater discretion public bodies have, I think most requesters would benefit from that.

0:51:28.380 --> 0:51:31.370

Emily Harris (Guest)

And if I'm hearing you right, these examples.

0:51:33.90 --> 0:51:38.0

Emily Harris (Guest)

I'd suggest you'd prefer to keep in the law office examples of ideas.

0:51:39.60 --> 0:51:41.830

Tyler Janzen, AOC

I I think I think we I mean.

0:51:42.330 --> 0:51:56.810

Tyler Janzen, AOC

But as much as we can wordsmith, I think Legislative Council's going to take our wordsmithing and then wordsmith it further. And I I think I'm just thinking ahead. I think what I would do is leave it implied, as Steve said, put a period after.

0:51:58.560 --> 0:52:1.270

Tyler Janzen, AOC

Right there. Exactly. And after fee.

0:52:2.260 --> 0:52:10.920

Tyler Janzen, AOC

And then we can talk about as a group, if we get to discussion about indigency or own records, I think that one Ave could be calling out.

0:52:11.440 --> 0:52:15.800

Tyler Janzen, AOC

Umm those as aspects that a public body may wish to consider.

0:52:17.900 --> 0:52:19.140

Emily Harris (Guest)

Thank you, Tyler. Todd.

0:52:20.900 --> 0:52:46.190

ALBERT Todd * PRA

I like keeping in some sort of clear statement reminding public bodies what the law already says right now, which is that they don't have to charge or don't have to charge full freight. But what I'm going to recommend is we go work on indigency and individual records first because depending on what we come up with could probably help us shape this, like, sort of an initial prefacing sort of paragraph because we'll know what's actually going to be like the meat of this. And then we can go back and shape the introduction part, which is what I see that main paragraph five as.

0:52:46.680 --> 0:52:52.710

Emily Harris (Guest)

Yeah, SO1 basic question, what's what do people feel like about whether?

0:52:53.770 --> 0:52:56.620

Emily Harris (Guest)

Indigent and individuals should be in the public interest.

0:52:58.460 --> 0:52:59.870

Emily Harris (Guest)

I see two heads shaking.

0:53:3.650 --> 0:53:5.980

Emily Harris (Guest)

I'm not sure Tyler or Todd, who had your hand up first.

0:53:10.500 --> 0:53:11.320

Emily Harris (Guest)

Todd, go ahead.

0:53:12.0 --> 0:53:42.150

ALBERT Todd * PRA

I was saying Tyler was trying to say, I think Tyler has it. That's where he is on my screen. But OK, I'll talk fast. So you know, including these as part of public interest was my idea, hearing the pushback and understanding why there may not be an appetite for including them in public interest. I can live with them being carved out as their own sections. But I'm still very strongly in favor of maintaining them. I will make my argument now as to why I think they make sense as part of public interest and

nevertheless, for your consideration, which is that when this law was written or came into effect in 1973.

0:53:42.270 --> 0:54:13.380

ALBERT Todd * PRA

Who is really in charge of protecting the public interest outside of the government? It was the media because they were the ones, of course, that like exposed Watergate, which created our law, we wanted to protect and enshrine their rights. To get this information out and sort of the test that's developed around public interest strongly favors the media because they have to have a platform to disseminate this information to even be found in the public interest. Well, just like, you know, society has evolved a lot since 1973. And I would argue that public interest has a different meaning now.

0:54:13.650 --> 0:54:15.500

ALBERT Todd * PRA

Including, but beyond the media.

0:54:15.860 --> 0:54:16.590

ALBERT Todd * PRA

Uh, you know.

0:54:17.520 --> 0:54:49.410

ALBERT Todd * PRA

Diversity equity inclusion has been centered, certainly in the work of state government, and I know many local governments as well. And I think making sure that everyone has full and fair access to this information is a more modern interpretation of public interest. And since the media actually make up a minority of requesters, as far as we can tell and it's individuals, especially those who can't afford these fees or need them to protect their rights from going into actions against the state or the more common requesters nowadays, I would be in favor of expanding public interest for those reasons.

0:54:49.660 --> 0:55:17.910

ALBERT Todd * PRA

Again, I get that we have a public interest system in place right now, expanding it to focus more on media and the current definition without including these additional categories would probably make it easier to digest amongst the legislature and other stakeholders. But I do think a stronger argument could be supported as to why to include these categories as well. That being said, I care more about actually getting these into the bill and not necessarily having them be in public. The public interest category. If there's not enough support for that.

0:55:19.220 --> 0:55:20.620

Emily Harris (Guest)

Thank you, Todd. Emily.

0:55:24.970 --> 0:55:55.800

Emily Gothard - She/Her

I really agree with pretty much everything, Todd said. I worked in legal aid. I feel like people having access to their own records, like I'm actually more concerned about individuals having access to their records than I am about media like, I feel like, you know, the media is already getting these records, but

individuals may be struggling to get records that they need. So whether it is in the public interest category. I mean, I think that there is a strong interest, a strong basis for that because.

0:55:55.990 --> 0:56:13.970

Emily Gothard - She/Her

Umm, you know it? You may not be able to say like this one individual persons request is in the public interest, but treating individual requests in this way is in the public interest. And so I mean, I don't have super strong feelings about whether it would be considered.

0:56:14.950 --> 0:56:38.100

Emily Gothard - She/Her

You know, as part of the public interest or like a different section. But I I do think that putting something in here about individuals requesting their records is important. I also had a little bit different language in my proposal around individual records too, because I feel like what someone's own records is is a little bit confusing too because I mean like.

0:56:38.930 --> 0:57:10.760

Emily Gothard - She/Her

These aren't really anybody's own records, exactly. They're a public record, and so I don't know exactly how that would be treated. I even in my own language, I was debating like I used the words directly, concern the requester and that would be another question of how exactly is that defined? But kind of the way that I was envisioning it, if it would be that, I mean, the public body would have discretion about, you know, the request and how much to waive. And so if somebody was requesting something really discreet.

0:57:11.680 --> 0:57:24.970

Emily Gothard - She/Her

Specific to them then, it would be easy for the public body to determine and if it was not so discreet, but like still somehow involved them, you might be able to say like, well, we can't do this because it would require like too much search.

0:57:25.250 --> 0:57:27.860

Emily Gothard - She/Her

Umm, like or also like?

0:57:28.590 --> 0:57:49.260

Emily Gothard - She/Her

I don't know it thinking of like let's say there was like a video recording of somebody being like assaulted and on like a public transit platform or something. Then they would probably know like right when you should look for. But if you were looking like for video of you like between a number of days then you probably wouldn't waive you know like something that would require a public body to like watch video for like hours and hours and hours.

0:57:51.230 --> 0:57:59.380

Emily Harris (Guest)

Thank you. Only I pulled over your definition from your and put it in a comment here in the document for comparison, Steve.

0:58:2.600 --> 0:58:14.890

Suo, Steve

I'm curious for for people who support this, whether I, a couple of people mentioned, like the distinction between. It just concerns me versus it affects my legal rights.

0:58:16.550 --> 0:58:24.220

Suo, Steve

Are there the people who support this? Would they be comfortable with restricting it to cases where it affects the person's legal rights?

0:58:33.570 --> 0:58:33.910

Emily Harris (Guest)

Emily.

0:58:36.90 --> 0:59:4.700

Emily Gothard - She/Her

I guess I think part of my struggle with that is like would that require somebody to point to like an existing case or something like that, because sometimes people might be requesting records like, I don't know, let's use the assaulted at a bus stop idea. Maybe you are like interested in pursuing a stocking order, but there's no actual like case file, the add or maybe this is related to like insurance or like there's lots of things that.

0:59:5.930 --> 0:59:13.820

Emily Gothard - She/Her

I that I think are important for people to have records for that, you know, they might not be able to say like, yeah, it's under case numbers such and such.

0:59:16.880 --> 0:59:28.180

Emily Gothard - She/Her

Like it like it could affect their rights in a way that isn't like, clearly as clear or that like they have to, like really clearly explain to the public body, like, these personal things, I don't know.

0:59:29.340 --> 0:59:32.610

Emily Harris (Guest)

Right now, looking at this FNG language, the UM.

0:59:33.640 --> 0:59:34.900

Emily Harris (Guest)

The individual.

0:59:35.660 --> 0:59:36.210

Emily Harris (Guest)

Umm.

0:59:37.300 --> 0:59:38.270

Emily Harris (Guest)

It's it's, it's.

0:59:39.980 --> 0:59:41.450

Emily Harris (Guest)

It's not a.

0:59:42.880 --> 0:59:43.880

Emily Harris (Guest)

Connected to.

0:59:46.920 --> 1:0:9.30

Emily Harris (Guest)

The the legal rights right? It's only if someones indigent is. That's how it's currently written in in in F&G as as we're looking at right now, so that we're we're like potentially opening opening up the category of individual a little bit more. Todd I think you had your hand up next and then Tyler and then Steve no OK who had the hand up first.

1:0:11.0 --> 1:0:11.670

Emily Harris (Guest)

Tyler.

1:0:12.630 --> 1:0:13.70

Emily Harris (Guest)

Go ahead.

1:0:12.900 --> 1:0:27.850

Tyler Janzen, AOC

Well, specific question, I think this is gonna get to the survey here that you've put in, Todd, whether we're going own records or affect legal rights, there are some fees that are currently authorized.

1:0:29.290 --> 1:0:38.160

Tyler Janzen, AOC

DA's are able to charge for discovery fees. Is is that sort of thing covered under the the sub A under F?

1:0:40.630 --> 1:0:40.920

Tyler Janzen, AOC

It.

1:0:42.50 --> 1:1:9.640

ALBERT Todd * PRA

Well, discovery would proceed along a different tract than a public records request, and a person who is engaged in litigation and going through discovery can also make a parallel public records request. They'd have to be considered under their individual laws. And so whatever statutes apply to discovery, including recouping costs, would still apply to discovery, and the requester could alter, then make a public records request that would be subject to the existing public records law or whatever we introduce here.

1:1:10.520 --> 1:1:11.230

ALBERT Todd * PRA

So.

1:1:14.550 --> 1:1:26.110

ALBERT Todd * PRA

Potentially if there's. I think for F subsection, you know capital A, it would just apply to if there are any existing rules related to providing records outside of discovery for charging fees.

1:1:25.280 --> 1:1:27.790

Emily Harris (Guest)

Like birth certificates that have it set charge.

1:1:28.260 --> 1:1:38.900

ALBERT Todd * PRA

Yes, or even I know there is a statute for counties that sets the cost of copies and other stuff that would still exist in context. It would have to be read in conjunction or this would have to be read in conjunction with that.

1:1:39.730 --> 1:2:11.540

ALBERT Todd * PRA

So I you know, I do think these sections create two very different rights. You know, a section F it applies to everyone. Like everyone sort of gets this right regardless of income and circumstances up to a certain monetary amount, if that's what we're comfortable with. Like, I took this from Michigan and Michigan actually says 20 bucks. I modernized it a little bit. And I said \$25.00, but that's open to debate. A subsection G is more expansive and could potentially lead to the production of a larger amount of records at no or a lower cost, but only if a person can claim both indigency.

1:2:11.870 --> 1:2:42.80

ALBERT Todd * PRA

And affecting the legal right. So to Emily's point, they would have to demonstrate that they're probably engaged in a proceeding or I think even someone who has like a strong reason for getting an order protection would be able to make a reasonable argument to a public body to decide if they said it fit into that category as well. It's kind of like when dealing with like taxes and tax cuts and rate tax cuts like, does it apply to everyone? Does it apply to certain classes? So it's kind of like subsection F this tax cut applies to everyone regardless of income and background, but only up to a certain amount. It's like a.

1:2:42.250 --> 1:3:12.290

ALBERT Todd * PRA

Sort of a wedge in the door for governments to be giving everyone their records that pertain to them to a very limited extent, and then G goes further and says of that class of everyone, there's a subset of that population that's both indigent and has the legal right that's been affected, that a public body can choose to go further and give them more records for less money. So I don't think these are the same. I understand how we could potentially combine them into just a single thing. But right now, I think there are two separate categories that are related but not identical.

1:3:12.880 --> 1:3:30.570

Emily Harris (Guest)

There's a couple things to think about in the world. Steve talks and then maybe we can get to a vote. One is, do these things belong in the public interest? That's where we started. And then second, are we comfortable with the with the limitations, the guardrails, whatever the box that the.

1:3:31.670 --> 1:3:36.980

Emily Harris (Guest)

The specifics, uh. Pertaining to individual records and indigent records.

1:3:39.20 --> 1:3:39.480

Emily Harris (Guest)

Steve.

1:3:42.940 --> 1:3:49.850

Suo, Steve

Thanks. I As for whether it belongs in public interest, it sounds like there's a consensus that it should go somewhere else, so I would support that.

1:3:51.370 --> 1:3:52.100

Suo, Steve

I you know.

1:3:53.340 --> 1:4:4.360

Suo, Steve

Most of you probably know that I started out this process leaning toward a Connecticut or Kentucky or Oklahoma model where basically everything is free for everyone.

1:4:5.940 --> 1:4:13.380

Suo, Steve

I think this gets pretty close to that if we include. If we include individuals in in indigency the.

1:4:14.670 --> 1:4:28.420

Suo, Steve

You know the the top points out that it's a limited degree, it's \$25 cap, but these are the large volume items I have to imagine like the the, the kind of the routine thing like you know the the Portland Police Bureau Police report.

1:4:29.630 --> 1:4:47.900

Suo, Steve

Maybe that's not the best example. Birth certificate. Now things that people request in the thousands or 10s of thousands or hundreds of thousands of individuals that for a public body may add up. And I I'm prepared to support that. I'm a little concerned that those who have raised issues about fiscal impacts.

1:4:49.70 --> 1:4:51.880

Suo, Steve

Maybe right here and that it will attract.

1:4:53.50 --> 1:4:56.10

Suo, Steve

Attract opposition from the same people who?

1:4:56.780 --> 1:5:0.360

Suo, Steve

So who were who had objections to my initial proposal?

1:5:1.820 --> 1:5:2.200

Emily Harris (Guest)

Tyler.

1:5:1.870 --> 1:5:2.560

Suo, Steve

Way back when.

1:5:4.480 --> 1:5:10.650

Tyler Janzen, AOC

Well, a quick point on what Steve just brought up. I think that's part of my rationale I I think.

1:5:12.110 --> 1:5:38.570

Tyler Janzen, AOC

Just talking about individual records to me does not fit under a public interest test and we've we've talked that or about that. I think the strategic benefit of also pulling those out as their own sections is to see's point. I think we should ask for everything that we want and the first draft. But I do agree the more if we have the a public interest test, we have an own records carve out. We have an indigency carve out.

1:5:39.340 --> 1:5:50.670

Tyler Janzen, AOC

All of those are going to impact the the fiscal impacts we get back and if we've done our upfront work of pulling those out as separate sections, I think it's gonna help us throughout the legislative process.

1:5:51.130 --> 1:5:57.320

Tyler Janzen, AOC

Umm, when we can start parsing out OK what's the impact of this one? What's the impact of this one? What's the impact of this one?

1:5:58.660 --> 1:6:8.300

Tyler Janzen, AOC

So to be clear, I I support having these concepts in this bill. I just think that they need to be pulled out as their own sections and not under the public interest test.

1:6:8.860 --> 1:6:17.920

Emily Harris (Guest)

OK, sweet. Somebody like to move that we switch deaf and G to their own sections and take them out of the public interest section.

1:6:19.550 --> 1:6:20.530

Tyler Janzen, AOC

I'll make that motion.

1:6:21.720 --> 1:6:22.390

Mark Landauer

2nd.

1:6:22.850 --> 1:6:23.690

Emily Harris (Guest)

Any discussion?

1:6:25.940 --> 1:6:29.530

ALBERT Todd * PRA

Just to be clear, we're moving out of public interest, but keep him in the bill for now to vote on.

1:6:29.760 --> 1:6:32.210

Emily Harris (Guest)

That's correct. So they would turn into.

1:6:33.360 --> 1:6:36.830

Emily Harris (Guest)

Six and seven. I think that's right.

1:6:37.810 --> 1:6:38.470

ALBERT Todd * PRA

Great. Thank you.

1:6:39.60 --> 1:6:44.570

Scott Stauffer

So we're going to pull them out and then vote on them, keeping them in order to vote on pulling them out, keeping them in the bill.

1:6:45.150 --> 1:7:15.60

Emily Harris (Guest)

I'd like to it sounds like we could kill both birds with one stone. Is there? Is that not the case you have? Do you have more? More discussion you wanna have about these two? I I I'm aware of the time and I think it's crucial that we get on to media and I'm it's crucial for sure to get onto that. And I'd like to get on to the. There's some differences in suggested tweaks to the Ag language. And also Emily had some other potential public interest things that I think we really need to get to all that today. So as Tyler mentioned.

1:7:15.130 --> 1:7:24.260

Emily Harris (Guest)

You know, some of this changes could be dealt with, you know, during the legislative process rather than wordsmithing it here or but. So I would prefer to vote on it as.

1:7:30.430 --> 1:7:30.820

Scott Stauffer

I.

1:7:25.540 --> 1:7:33.190

Emily Harris (Guest)

Keep these sections, but take them out of the public interest. Somebody just wasn't in the chat. Is it? Is that do I have objections to that?

1:7:33.870 --> 1:7:52.760

Scott Stauffer

I I I support the indigent, indigent piece of this. I I'm not sure I can support F I've heard from law enforcement and local government that has a standard fee report and I know there's a big elephant in the room in Portland and how they handle themselves. But I think there's still concern and I'm.

1:7:54.400 --> 1:8:3.750

Scott Stauffer

I don't know if I could support F and so if we're doing that in mass, I would be afraid I have to vote nay on the whole thing of F&G, even though I 100% fully support G.

1:8:5.180 --> 1:8:33.420

Scott Stauffer

So just to make my position clear, I've heard concerns about that, that \$25 fee and and what a standard police report cost most departments is \$15.00. And so that would eliminate a lot of the support for the one time police reports that people have when they have an accident or or a theft. So I I'm not saying I can't get there to some point. And I know that we're coming up with some time crunches. So I personally can't vote for F right now, but I'm wholeheartedly in support of G.

1:8:34.330 --> 1:8:37.350

Emily Harris (Guest)

But we can pull them out for separate votes. I mean, it sounds like.

1:8:41.720 --> 1:8:42.270

Emily Harris (Guest)

Yeah, but just.

1:8:38.110 --> 1:8:45.510

Scott Stauffer

I'd appreciate that and I and I don't mean to hold up. I know we've got time and if I'm the minority vote on these, then I I respect that too. But I just wanted to the other.

1:8:45.740 --> 1:8:48.720

Emily Harris (Guest)

OK, so can Tyler can you amend your motion?

1:8:49.630 --> 1:8:55.680

Tyler Janzen, AOC

Yes, I would support pulling out subsections.

1:8:56.550 --> 1:9:4.800

Tyler Janzen, AOC

F&G to become their own sections and then? Or are we gonna take a a vote on incorporating each of those afterwards that separate motion?

1:9:4.210 --> 1:9:10.960

Emily Harris (Guest)

Well, actually I was thinking maybe we could just vote on do we wanna pull out F into its own section?

1:9:14.920 --> 1:9:15.230

Tyler Janzen, AOC

Again.

1:9:11.820 --> 1:9:19.440

Emily Harris (Guest)

And keep it for now and pull out G onto its own section and for now. So then you can like Scott, can vote against the F.

1:9:20.700 --> 1:9:20.900

Emily Harris (Guest)

That.

1:9:19.990 --> 1:9:21.300

Tyler Janzen, AOC

OK, then I will.

1:9:20.920 --> 1:9:21.490

Scott Stauffer

Thank you.

1:9:21.720 --> 1:9:22.460

Emily Harris (Guest)

Their second for the.

1:9:23.750 --> 1:9:24.230

Mark Landauer

2nd.

1:9:24.690 --> 1:9:28.160

Emily Harris (Guest)

OK. Is there some discussion? Emily, did you wanna have the discussion?

1:9:28.700 --> 1:9:34.70

Emily Gothard - She/Her

Will we eat separately be talking about like any additional wordsmithing of these sections?

1:9:34.760 --> 1:9:46.90

Emily Gothard - She/Her

Like for instance, there was a addition in the chat about like a substantial possibility that the requested record may affect a legal right. I thought. I think that's a good idea, especially if we only wind up with the indigent.

1:9:46.690 --> 1:9:47.390

Emily Gothard - She/Her

Umm.

1:9:49.600 --> 1:9:50.10

Emily Gothard - She/Her

But.

1:9:51.200 --> 1:9:54.800

Emily Gothard - She/Her

We'll be talking about that after we vote about whether to move things to their own sections.

1:9:55.720 --> 1:10:13.450

Emily Harris (Guest)

Yeah. Well, we have 20 minutes left in this meeting. I think we it is essential in this meeting that we get through the media stuff and ideally take some temperature on the AG stuff, although that seems a little bit minor compared to, but I'd like to also address Emily that other ideas of things that you've suggested should be in the public interest, so.

1:10:14.470 --> 1:10:40.380

Emily Harris (Guest)

Uh we nobody said this has to be our last meeting. We are going to get all of this. We're our plan is to take it back to the prac. We can fine tune language there if we want. There's the process of legislation legislating when we can fine tune language as well. I'd prefer to spend the next 20 minutes on figuring out who is in the public interest and who isn't. And then handling more specific pieces later so.

1:10:41.10 --> 1:10:59.830

Emily Harris (Guest)

Is there any further discussion before we take these two separate votes? The first vote will be on should we make section F as written its own section. So taking it out of the public interest and the 2nd but will be shall we make section BBG as written its own section taking it out of the public interest? Is there any further discussion before we take the vote Steve?

1:11:1.510 --> 1:11:21.250

Suo, Steve

I just an explanation. I will be voting yes on both, but I reserve the right to vote no before the full committee on one or both. I I would like to hear potentially at that meeting, if not before, from people who can speak to the actual cost that.

1:11:22.370 --> 1:11:26.920

Suo, Steve

F in particular would impose on both bodies, especially local governments.

1:11:28.350 --> 1:11:29.530

Emily Harris (Guest)

OK, any further discussion?

1:11:30.790 --> 1:11:41.710

Emily Harris (Guest)

OK. All in favor of taking currently written subsection F of Section 5 out and making it its own section. So taking it out of the public interest. But for the moment, retaining the languages written, please say aye.

1:11:42.330 --> 1:11:42.680

Tyler Janzen, AOC

I.

1:11:42.860 --> 1:11:43.230

Emily Gothard - She/Her

Hi.

1:11:43.100 --> 1:11:43.380

Suo, Steve

Aye.

1:11:42.850 --> 1:11:44.50

Mark Landauer

Hi. Hi.

1:11:44.570 --> 1:11:45.940

Emily Harris (Guest)

And all those opposed say nay.

1:11:46.570 --> 1:11:46.980

Scott Stauffer

May.

1:11:47.350 --> 1:12:5.820

Emily Harris (Guest)

OK, SO11 no Scott and the rest were in favor saying thank you very much the same question for subsection G. All those in favor of moving subsection G out of Section 5 making its own section. So taking it out of the public interest but retaining the language at the moment, please say aye.

1:12:7.50 --> 1:12:7.290

Emily Gothard - She/Her

Hi.

1:12:6.530 --> 1:12:7.620

Tyler Janzen, AOC

I I.

1:12:7.340 --> 1:12:7.730

Mark Landauer

I.

1:12:8.480 --> 1:12:8.870

Scott Stauffer

I.

1:12:8.820 --> 1:12:9.800

Emily Harris (Guest)

When opposed?

1:12:11.110 --> 1:12:17.780

Emily Harris (Guest)

OK, so that passes unanimously. OK. So in the 20 minutes or so, we have left the other.

1:12:19.40 --> 1:12:21.270

Emily Harris (Guest)

The other so these.

1:12:23.420 --> 1:12:26.250

Emily Harris (Guest)

Section sorry 6.

1:12:29.70 --> 1:12:31.480

Emily Harris (Guest)

OK. Anyway six, OK.

1:12:33.280 --> 1:12:38.130

Emily Harris (Guest)

So the other piece is in your Emily's made a suggestion of.

1:12:38.860 --> 1:13:5.180

Emily Harris (Guest)

Nonprofit educational, scientific or other nonprofit organization who has a specific, you know, can express this specific research reason for records be considered in the public interest. There's the news media and the public interest, and then Emily also has suggested labor organizations in the furtherance of public policy goals set forth under the collective bargaining part of the statutes be considered in the public, in the public interest.

1:13:5.480 --> 1:13:13.550

Emily Harris (Guest)

Umm, so let's tackle this news media piece first, since that's in the version that.

1:13:14.690 --> 1:13:24.650

Emily Harris (Guest)

You know, has been put together when considering, so this goes back to 5B and C&E.

1:13:27.690 --> 1:13:33.740

Emily Harris (Guest)

Anybody have any comments they'd like to make for or against these sections being in the public interest?

1:13:37.0 --> 1:13:37.770

Emily Harris (Guest)

Presumptively.

1:13:39.70 --> 1:13:43.80

Emily Harris (Guest)

Or do we just want to take a vote on them? Let me see. Looking for hands?

1:13:44.360 --> 1:13:45.130

Emily Harris (Guest)

In the chat.

1:13:50.560 --> 1:13:51.250

Emily Harris (Guest)

Mark, go ahead.

1:13:52.470 --> 1:14:9.940

Mark Landauer

Well, I'm gonna just quickly repeat a similar request that I had made about section A of this section. My preference of course, would be if it is in the public interest, shall waive or reduce the charge. That's my only comment for this moment. Thank you.

1:14:15.990 --> 1:14:16.450

Suo, Steve

Umm.

1:14:22.870 --> 1:14:23.440

Emily Harris (Guest)

Steve.

1:14:25.390 --> 1:14:25.920

Suo, Steve

I just.

1:14:26.0 --> 1:14:29.680

Suo, Steve

Yeah, I'm gonna respond to Mark. I don't think it's.

1:14:32.290 --> 1:14:38.270

Suo, Steve

B or C don't refer to shall wave. They're the shall. There shall be assumed to be in the public interest so.

1:14:38.930 --> 1:14:40.400

Suo, Steve

Is that address your concern?

1:14:46.710 --> 1:14:51.800

Mark Landauer

Steve, I'm just being a stubborn old coot and being a consistent, OK.

1:14:53.90 --> 1:14:53.310

Suo, Steve

Well.

1:14:52.750 --> 1:15:0.880

Mark Landauer

I I'm. I'm gonna be fine. I'm ultimately. I'm gonna be fine with this, OK. But there's a distinction I'm making, and that's all I'm doing. Thank you.

1:15:2.500 --> 1:15:2.970

Emily Harris (Guest)

Tyler.

1:15:4.80 --> 1:15:17.900

Tyler Janzen, AOC

Just want to say yeah, I, I I like BCE given the work that we have done on A&DI, like the substantial prejudice or prevention of public bodies of ability to carry out other functions that makes sense to me.

1:15:18.280 --> 1:15:18.650

Emily Harris (Guest)

OK.

1:15:19.810 --> 1:15:25.760

Emily Harris (Guest)

It is there any further discussion or would anybody like to move to vote on BC&E subsection 5?

1:15:28.750 --> 1:15:29.280

Suo, Steve

So moved.

1:15:31.20 --> 1:15:31.570

Emily Harris (Guest)

Their second.

1:15:32.600 --> 1:15:33.110

ALBERT Todd * PRA

2nd.

1:15:34.40 --> 1:15:50.450

Emily Harris (Guest)

OK, so all in favor of adopting adopting, sorry, BC&E making a representative of the news media assumed to be in the public interest unless it's demonstrated in that particular interest by by the public body that it's not.

1:15:51.610 --> 1:15:53.860

Emily Harris (Guest)

And then it definition of the news media representative.

1:15:55.170 --> 1:16:0.70

Emily Harris (Guest)

OK, we have some discussion before the vote. I don't know who's hand went up first. So Emily.

1:16:1.870 --> 1:16:31.440

Emily Gothard - She/Her

Now I just I'm curious more about a overall read on what all we're going to include. I mean, I am inclined

to like support the the news media exemption. However, without knowing the other groups that would be entitled to feed waivers, I mean, I do have some concern if we ultimately wind up saying that we are going to give even like for profit commercial news media entities that charge you to read their stories.

1:16:32.60 --> 1:16:40.870

Emily Gothard - She/Her

Fee waivers, but we're not going to give fee waivers to all of these other public interest groups that would be of great concern to me and I wouldn't support that.

1:16:41.990 --> 1:16:42.680

Emily Gothard - She/Her

So.

1:16:43.370 --> 1:16:47.420

Emily Gothard - She/Her

Like I'm a yes, but I'm interested in what we think about all of the groups.

1:16:48.590 --> 1:16:54.370

Emily Harris (Guest)

OK, so all of the groups would be the other two groups that we haven't addressed yet would be the.

1:16:57.710 --> 1:16:58.660

Emily Harris (Guest)

The UM.

1:16:59.300 --> 1:17:5.810

Emily Harris (Guest)

Nonprofit educational, scientific or other nonprofit organization. And if people have Emily's?

1:17:7.130 --> 1:17:11.740

Emily Harris (Guest)

Language in front of them. That's on Page 3, it's section D.

1:17:12.900 --> 1:17:17.780

Emily Harris (Guest)

Of of Yes page Section D and then the other one would be.

1:17:19.360 --> 1:17:26.600

Emily Harris (Guest)

The Labour Organization in furtherance of the collective bargaining, the public policy goals set out in the law about collective.

1:17:27.330 --> 1:17:27.940

Emily Harris (Guest)

Bargaining.

1:17:28.780 --> 1:17:34.10

Emily Harris (Guest)

And I think those are the only two that have been proposed. Am I missing any Emily from?

1:17:35.250 --> 1:17:36.10

Emily Harris (Guest)

The discussion.

1:17:36.770 --> 1:17:44.570

Emily Gothard - She/Her

Umm. I mean then it would only go back to the indigency and the other stuff that we carved out into other sections.

1:17:44.490 --> 1:18:3.690

Emily Harris (Guest)

Right, we've already. I think we've just determined that we voted that those will not be in the public interest, but wanted to keep that in the law. So as far as it's in the public interest that we've three groups that have been proposed, the media, the nonprofit, educational and labor organizations in the.

1:18:4.850 --> 1:18:5.960

Emily Harris (Guest)

In the collective bargaining.

1:18:7.190 --> 1:18:8.210

Emily Harris (Guest)

Section so.

1:18:9.350 --> 1:18:9.850

Emily Harris (Guest)

Tyler.

1:18:10.880 --> 1:18:21.600

Tyler Janzen, AOC

I might suggest that the the other two groups, beyond news media, given the lateness of the hour, maybe we for our purposes today consider those covered under the.

1:18:22.510 --> 1:18:27.960

Tyler Janzen, AOC

You know the discretion that a public body has to grant waivers for any reason they see fit.

1:18:30.570 --> 1:18:38.420

Tyler Janzen, AOC

I don't recall hearing from those groups during our testimony. Granted, I was away on paternity leave for some of it, so I'm just wondering if.

1:18:39.170 --> 1:18:54.990

Tyler Janzen, AOC

We just gotta be really cognizant of picking our battles here and I think we've talked a lot about news media and not so much about the other groups. And I'm wondering if we don't handle to Emily's point, in my mind, I think that news media is special and we've talked about that a lot.

1:18:56.910 --> 1:19:12.120

Tyler Janzen, AOC

Hence why I was so adamant about pulling out indigency and own records. I think that the only thing we should be folding in under this public records test would be news media. The other groups that you mentioned, Emily, makes sense. I'm just concerned that we haven't heard.

1:19:12.950 --> 1:19:19.960

Tyler Janzen, AOC

This is the first I've heard of them today, and from reading your comments and I just am worried about what that would mean for our timeline and getting them properly.

1:19:24.730 --> 1:19:40.140

Emily Harris (Guest)

And it anybody I I think that's the way we've written the law has please people correct me if I'm misunderstanding this is that anyone can make a public interest argument. Anyone at all, as is the case right now, is that is that correct? Todd, is that right?

1:19:42.840 --> 1:19:47.130

ALBERT Todd * PRA

That anyone can make a public interest application. Yes, cause we've maintained the core test.

1:19:48.780 --> 1:19:50.90

ALBERT Todd * PRA

That currently exists, sorry.

1:19:50.910 --> 1:20:7.520

Emily Harris (Guest)

OK. And do you wanna respond to Tyler? We're we're remember we're in the discussion. There is a motion on the floor. We're in the discussion part of before we're gonna vote. So that's what's up next is a vote. But since we're in the discussion period, do you wanna respond to Tyler before we vote?

1:20:9.60 --> 1:20:12.210

Emily Gothard - She/Her

Umm, sorry, I don't really feel ready to right now.

1:20:12.860 --> 1:20:24.900

Emily Harris (Guest)

Well, I mean, appreciating that this has been a bit of a time pressure to get and I didn't know you noted in your e-mail a difficult month to get a lot of input from stakeholders. So I I really appreciate that you.

1:20:25.750 --> 1:20:27.440

Emily Harris (Guest)

You did, you know, bring those up.

1:20:29.330 --> 1:20:46.470

Emily Harris (Guest)

But I think we do have a vote on the floor. So the the question is, Umm, all in favor of including BC&E as in the public interest part of subsection five of the this law, please say aye.

1:20:47.660 --> 1:20:47.970

Suo, Steve

Aye.

1:20:48.370 --> 1:20:48.620

Mark Landauer

Aye.

1:20:49.300 --> 1:20:49.630

Scott Stauffer

Hi.

1:20:49.170 --> 1:20:49.650

Tyler Janzen, AOC

I.

1:20:51.70 --> 1:20:53.700

Emily Harris (Guest)

OK. Anyone who's opposed please say nay.

1:20:55.410 --> 1:20:55.980

Emily Gothard - She/Her

Abstain.

1:20:56.720 --> 1:21:10.360

Emily Harris (Guest)

OK, so we have that's that is accepted with with an abstention. So I think we need to go back at this point and just look at the very first part of Section 5.

1:21:14.70 --> 1:21:15.180

Emily Harris (Guest)

Ah, sorry.

1:21:18.350 --> 1:21:25.250

Emily Harris (Guest)

This very top part we had the custodian of a public record made furnished copies without charge or at a substantially reduced fee.

1:21:26.760 --> 1:21:31.710

Emily Harris (Guest)

Period or for any reason or for any reason with a policy.

1:21:33.160 --> 1:21:35.780

Emily Harris (Guest)

And then are there is some suggestions?

1:21:37.650 --> 1:21:38.470

Emily Harris (Guest)

This point.

1:21:39.840 --> 1:21:47.10

Emily Harris (Guest)

I mean, we've taken care of indigenous and records primarily concerning the requester at least.

1:21:47.990 --> 1:21:53.400

Emily Harris (Guest)

Umm, you know, but the other two are examples that aren't.

1:21:54.760 --> 1:22:2.490

Emily Harris (Guest)

Umm, specifically addressed right now. Other places in the law. Does anybody have a proposal that they like to vote on as far as what to do with this Section 5?

1:22:5.190 --> 1:22:8.450

Emily Harris (Guest)

So that the cleanest is to just stop at reduced fee.

1:22:9.430 --> 1:22:11.390

Emily Harris (Guest)

But other people may have other ideas.

1:22:22.390 --> 1:22:23.520

ALBERT Todd * PRA

Emily, have my hand up.

1:22:23.790 --> 1:22:25.680

Emily Harris (Guest)

Ohh, thank you. Go ahead please.

1:22:26.540 --> 1:22:40.40

ALBERT Todd * PRA

Yeah. So I, I do support well, I kind of support just this more truncated sentence that we came up with, except I don't know if it adequate. You know, it's more maybe a more of a wordsmithing problem, but I think it still needs some sort of connector to a through E.

1:22:41.30 --> 1:22:53.880

ALBERT Todd * PRA

Some, like generally speaking, a custodian of public record, may furnish copies yadda yadda through that period. But then how do we then sync it with the shell sections below? So we just need some bridging language in my opinion and then I could support it as is.

1:22:55.240 --> 1:22:55.490

Emily Harris (Guest)

OK.

1:23:4.930 --> 1:23:8.410

Mark Landauer

Todd, do you have some suggestion on what that might be?

1:23:5.380 --> 1:23:25.810

ALBERT Todd * PRA

OK, well I was. I was just gonna speak up again. Yes, if I may. And I don't know if this will work, but how about something along lines of accept as described in subsections a through E comma, the custodian of public record may furnish or other better clear language than that. But essentially that idea.

1:23:27.730 --> 1:23:29.420

ALBERT Todd * PRA

Somebody jump in with better words now.

1:23:30.640 --> 1:23:30.840

Suo, Steve

But.

1:23:29.210 --> 1:23:32.540

Emily Harris (Guest)

What am I mean? This first one is saying they can do it.

1:23:33.670 --> 1:23:38.170

Emily Harris (Guest)

They can open door, you can do a reduced fee and then the rest of these.

1:23:38.930 --> 1:23:44.610

Emily Harris (Guest)

Are explaining how and some specific instances, so I don't know if it would be accept. I'm sorry Steve. You had your hand up.

1:23:46.140 --> 1:23:53.410

Suo, Steve

I I was just gonna suggest that maybe we we ended with a period and leave the the grammatical issues to Ledge Council.

1:23:57.810 --> 1:24:14.310

Suo, Steve

Because I don't think essentially what we've done is we've taken existing statute which says May do it if it's in the public interest, we've stopped, we're stopping. You know, we're just stating the first half of the sentence and then we're spelling out public interest in detail with A3.

1:24:21.720 --> 1:24:22.400

Emily Harris (Guest)

Right, I see.

1:24:24.990 --> 1:24:27.850

Emily Harris (Guest)

It's almost it is it? Is it in a sense it.

1:24:28.820 --> 1:24:30.250

Emily Harris (Guest)

More, it's clarifying, yeah.

1:24:31.290 --> 1:24:33.100

Emily Harris (Guest)

So it Tyler and then, yeah.

1:24:33.600 --> 1:24:36.690

Tyler Janzen, AOC

That was the weird. Is it notwithstanding, I'm not and.

1:24:37.430 --> 1:24:40.320

Tyler Janzen, AOC

Not an attorney, but you know, notwithstanding the language below.

1:24:41.700 --> 1:24:43.620

Tyler Janzen, AOC

Sub eight through or something like that.

1:24:44.550 --> 1:24:45.530

Emily Harris (Guest)

I think the rain opposite.

1:24:45.420 --> 1:24:47.950

Mark Landauer

Just just notwithstanding the following.

1:24:48.320 --> 1:24:48.630

Tyler Janzen, AOC

You know.

1:24:52.870 --> 1:24:53.50

Emily Harris (Guest)

Yeah.

1:24:49.390 --> 1:24:55.0

Suo, Steve

It's well, notwithstanding me implies this other stuff is a contradiction, and it's just consistent with me.

1:24:56.40 --> 1:25:0.100

Suo, Steve

It's a subset of me and these these instances it will will be a shell.

1:25:4.340 --> 1:25:4.650

Emily Harris (Guest)

Yeah.

1:25:5.900 --> 1:25:6.820

Emily Harris (Guest)

They're not enough position.

1:25:6.510 --> 1:25:16.210

Suo, Steve

Look, I I I and alternative proposal is that we move forward with the paragraph as proposed you know with the for any reason this, this, this and this.

1:25:17.10 --> 1:25:20.870

Suo, Steve

That doesn't preclude adding in other things later. I don't think it.

1:25:21.710 --> 1:25:30.510

Suo, Steve

It's not. It's not a prescription. It's just a set of options for public bodies. If people support that, I mean, that might be the simplest solution rather than trying to.

1:25:31.350 --> 1:25:32.220

Suo, Steve

Edit on the fly.

1:25:32.650 --> 1:25:47.650

Emily Harris (Guest)

OK. So we have sort of two suggestions go with the language as you would if you were reading it, you would just just, you know, don't read the crossed off part and ignore the comment, right? So and ignore this this period or it's just the first sentence to somebody wanna make a motion to what to vote on.

1:25:49.550 --> 1:25:54.920

ALBERT Todd * PRA

And make a motion to adopt the original paragraph prior to the editing.

1:25:56.740 --> 1:25:57.620

Emily Harris (Guest)

Is there a second for that?

1:26:2.360 --> 1:26:6.330

Scott Stauffer

Todd by by by Reading you, including the crossed out stuff right though.

1:26:7.720 --> 1:26:9.660

Emily Harris (Guest)

I can fix it. It would look like this.

1:26:12.810 --> 1:26:14.560

Scott Stauffer

But that one sentence is still crossed out.

1:26:15.180 --> 1:26:22.750

Suo, Steve

That that. Yeah, that that was the original proposal is to delete that that phrase from existing statute and replace it with the rest of the paragraph.

1:26:23.200 --> 1:26:23.550

Emily Harris (Guest)

Yeah.

1:26:23.950 --> 1:26:25.470

Scott Stauffer

Then I'll second times motion.

1:26:26.320 --> 1:26:31.0

Emily Harris (Guest)

OK. So it's on the screen. The language on the screen is what we would be voting to adopt.

1:26:32.940 --> 1:26:35.10

Emily Harris (Guest)

Is there any discussion for the discussion?

1:26:37.990 --> 1:26:43.970

Emily Harris (Guest)

OK. All in favor of adopting a Section 5 as is written on the screen, please say aye.

1:26:45.300 --> 1:26:45.470

Scott Stauffer

I.

1:26:45.390 --> 1:26:45.760

ALBERT Todd * PRA

I.

1:26:45.990 --> 1:26:46.380

Tyler Janzen, AOC

Alright.

1:26:46.70 --> 1:26:46.520

Suo, Steve

Aye.

1:26:46.980 --> 1:26:47.680

Emily Harris (Guest)

Any opposed?

1:26:49.80 --> 1:26:49.540

Emily Gothard - She/Her

Nay.

1:26:51.550 --> 1:26:53.460

Emily Harris (Guest)

So that passes. Any abstentions?

1:26:55.320 --> 1:26:55.610

Emily Harris (Guest)

OK.

1:26:56.360 --> 1:26:56.970

Emily Harris (Guest)

OK.

1:26:58.230 --> 1:27:2.460

Emily Harris (Guest)

So it is 258 we've done.

1:27:3.150 --> 1:27:7.560

Emily Harris (Guest)

Really good work, you guys. Thank you. We have a.

1:27:8.470 --> 1:27:9.940

Emily Harris (Guest)

Some other pieces of.

1:27:11.290 --> 1:27:17.10

Emily Harris (Guest)

To to discuss at some point the scientific, educational and Labor organization.

1:27:17.570 --> 1:27:18.40

Emily Harris (Guest)

Umm.

1:27:19.160 --> 1:27:38.510

Emily Harris (Guest)

And we have also to discuss the any proposed changes to substitute would be like 7. Now whatever about the attorney general's role. So I think we can either meet again to do those two things as a subcommittee, which maybe the.

1:27:39.830 --> 1:27:41.50

Emily Harris (Guest)

You know more.

1:27:42.650 --> 1:27:49.300

Emily Harris (Guest)

The best of the better procedural way to do it. Or we could take this all back to the track and try to the larger track and work it out there.

1:27:49.610 --> 1:27:51.400

Emily Harris (Guest)

And what?

1:27:52.680 --> 1:27:56.710

Emily Harris (Guest)

When people meet again, we're like Todd. Go ahead.

1:27:57.650 --> 1:28:1.790

ALBERT Todd * PRA

I was going to see if everyone had the ability to stay on for a little longer. Maybe we could get through some of this.

1:28:2.780 --> 1:28:4.250

ALBERT Todd * PRA

Seeing Mark saying no.

1:28:3.480 --> 1:28:5.610

Emily Harris (Guest)

Good question, Mark saying no.

1:28:7.770 --> 1:28:8.70

Emily Harris (Guest)

OK.

1:28:13.230 --> 1:28:13.600

Emily Harris (Guest)

Well.

1:28:13.550 --> 1:28:16.990

Suo, Steve

We schedule a meeting for next week and we schedule a meeting for next week.

1:28:19.130 --> 1:28:19.440

Emily Harris (Guest)

We might.

1:28:19.170 --> 1:28:20.460

Suo, Steve

Same time, same place.

1:28:22.860 --> 1:28:31.110

Emily Harris (Guest)

Let's look at Friday first, since that's been when we've typically met. Can everybody meet next Friday in this one to three hour?

1:28:32.750 --> 1:28:35.210

Emily Harris (Guest)

See the taking two how about next Thursday?

1:28:37.880 --> 1:28:39.540

Emily Harris (Guest)

That's Thursday, November 3rd.

1:28:42.860 --> 1:28:43.320

ALBERT Todd * PRA

I would.

1:28:42.130 --> 1:28:45.150

Emily Harris (Guest)

I mean, we could start with earlier this week if we want to get it done too, but.

1:28:45.890 --> 1:28:48.700

ALBERT Todd * PRA

I couldn't do Thursday. I would have to start at 2:15.

1:28:51.80 --> 1:28:52.770

Emily Harris (Guest)

OK. Could people meet from?

1:28:53.550 --> 1:28:56.330

Emily Harris (Guest)

2:30 to 4:00 next Thursday.

1:28:57.560 --> 1:28:59.910

Emily Harris (Guest)

I see 123 thumbs.

1:29:1.130 --> 1:29:1.500

Scott Stauffer

I could.

1:29:0.900 --> 1:29:2.170

Emily Harris (Guest)

Emily says no.

1:29:2.390 --> 1:29:5.110

Scott Stauffer

I could potentially join late, but maybe?

1:29:6.340 --> 1:29:10.460

Emily Harris (Guest)

Emily, can you meet at all that afternoon? Like, 3:00 to 4:30? Anything.

1:29:17.730 --> 1:29:20.120

Emily Gothard - She/Her

I only have morning availability next week.

1:29:20.540 --> 1:29:23.20

Emily Harris (Guest)

Next, next all week or on that Thursday you're talking.

1:29:23.430 --> 1:29:24.500

Emily Gothard - She/Her

All week next week.

1:29:24.750 --> 1:29:25.380

Emily Harris (Guest)

OK.

1:29:26.730 --> 1:29:27.220

Emily Harris (Guest)

Is.

1:29:28.410 --> 1:29:33.670

Emily Harris (Guest)

I know mornings are difficult for some people here every morning. Umm, but is there is there?

1:29:34.440 --> 1:29:37.180

Emily Harris (Guest)

On Thursday, the 3rd is a morning meeting. Possible.

1:29:38.530 --> 1:29:41.740

ALBERT Todd * PRA

11:00 AM could work for me? Or even 10 if necessary.

1:29:42.650 --> 1:29:48.40

Emily Harris (Guest)

OK, 10 or 11 mark, I've got a thumbs up, Tyler. OK. And Scott's shaking his head.

1:29:51.320 --> 1:29:58.450

Emily Harris (Guest)

Well, that's the I'm inclined to go with that cause it's the fewest people that we've like had say no and we would have a, a, a quorum.

1:30:1.30 --> 1:30:3.40

Scott Stauffer

Understood. I scheduling is no fun.

1:30:3.390 --> 1:30:16.780

Emily Harris (Guest)

Ohh, it doesn't turn OK, so let's let's let's do it. Let's do it. Uh, 11:00, o'clock Thursday the 3rd. Is that a? Is that the Times update? OK, alright. And we will, we will tackle those two sections specifically.

1:30:21.270 --> 1:30:22.0

Emily Harris (Guest)

Yes, of course.

1:30:18.720 --> 1:30:48.750

Mark Landauer

It if, if I made Madam Chair Scott Scott, I would, I would appreciate any information that you can

provide the Subcommittee in advance of the next meeting on your concern with that particular section that you had described, just so that we can collectively consider those concerns before we take any votes. I'd just like to make an informed vote on on that particular issue.

1:30:48.850 --> 1:30:58.910

Mark Landauer

And I apologize if that creates more work for you, but I just want to be fair to all members of the Committee on this and wanna consider your thoughts on that before I vote. Thank you.

1:30:59.820 --> 1:31:8.850

Scott Stauffer

Thank you, mark. I do intend to reach out to city folks that I know on this on this topic and I'll provide what I can retrieve to the committee's subcommittee.

1:31:9.180 --> 1:31:14.570

Emily Harris (Guest)

And just to clarify, thank you, Mark, bring that up and Scott, so 11:00 to 12:30 is that?

1:31:15.310 --> 1:31:33.440

Emily Harris (Guest)

Yeah, we're good regular hour and a half. OK, great. OK. I we've passed the top meeting. I'm happy to stay on, and maybe, I don't know, possibly Todd would be able to, but if there is public comment that people would like to make because we didn't, we didn't get to that yet in the meeting. I know we may lose a quorum to do that, but.

1:31:35.10 --> 1:31:52.20

Emily Harris (Guest)

Are there people who would like? Is there anyone here who'd like to make a public comment and partners if you need to drop off? We I know we may lose the quorum, but certainly I and maybe a couple of those can stay on. If you are a member of the public, would like to make a public comment at this time. Can you raise your hand or?

1:31:53.440 --> 1:31:56.290

Emily Harris (Guest)

I don't see any hands in the in the participants list.

1:31:59.930 --> 1:32:4.60

Emily Harris (Guest)

OK, so I'm sounds like there isn't any public comment so.

1:32:5.260 --> 1:32:10.830

Emily Harris (Guest)

And also Daniel, I'm saving your language for G for potential future discussion.

1:32:11.250 --> 1:32:17.480

Emily Harris (Guest)

Umm, I'll circulate this new stuff that we voted on in an agenda specifics for next Thursday.

1:32:19.180 --> 1:32:24.450

Emily Harris (Guest)

And thanks everybody very much. Is there anything else or to have a motion to adjourn?

1:32:25.570 --> 1:32:26.170

Mark Landauer

So move.

1:32:27.350 --> 1:32:28.50

Emily Harris (Guest)

Is there a second?

1:32:27.810 --> 1:32:28.280

Suo, Steve

2nd.

1:32:29.470 --> 1:32:30.690

Emily Harris (Guest)

All in favor of adjourning?

1:32:32.200 --> 1:32:32.540

Suo, Steve

Aye.

1:32:32.490 --> 1:32:32.800

Scott Stauffer

Right.

1:32:32.870 --> 1:32:33.340

Tyler Janzen, AOC

I.

1:32:33.280 --> 1:32:33.690

ALBERT Todd * PRA

Alright.

1:32:33.550 --> 1:32:33.930

Emily Gothard - She/Her

Hi.

1:32:34.230 --> 1:32:36.970

Emily Harris (Guest)

Great. Thanks everyone so much. And we'll see you next week.

1:32:36.730 --> 1:32:37.350

Suo, Steve

So that we can.

1:32:38.100 --> 1:32:38.330

Emily Harris (Guest)

Right.